

EXHIBIT 7

Video Deposition of Ron Helveston

January 17, 2024

Hendrix v. CRC Insurance Services, Inc., et
al.

2:21-CV-0300-MHH



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<p style="text-align: right;">Page 1</p> <p>1 IN THE UNITED STATES DISTRICT COURT</p> <p>2 NORTHERN DISTRICT OF ALABAMA</p> <p>3 SOUTHERN DIVISION</p> <p>4</p> <p>5 CASE NUMBER: 2:21-CV-0300-MHH</p> <p>6</p> <p>7 KATHRYN HENDRIX,</p> <p>8 Plaintiff,</p> <p>9 vs.</p> <p>10 CRC INSURANCE SERVICES, INC., TRUIST FINANCIAL</p> <p>11 CORP., and TRUIST BANK,</p> <p>12 Defendants.</p> <p>13</p> <p>14</p> <p>15 VIDEO DEPOSITION TESTIMONY OF:</p> <p>16 RON HELVESTON</p> <p>17</p> <p>18</p> <p>19 JANUARY 17, 2024</p> <p>20 1:36 P.M.</p> <p>21</p> <p>22</p> <p>23</p>	<p style="text-align: right;">Page 3</p> <p>1 of the trial, or at the time said deposition is</p> <p>2 offered in evidence, or prior thereto.</p> <p>3 IT IS FURTHER STIPULATED AND AGREED</p> <p>4 that notice of filing of the deposition by the</p> <p>5 Commissioner is waived.</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p>
<p style="text-align: right;">Page 2</p> <p>1 S T I P U L A T I O N</p> <p>2 IT IS STIPULATED AND AGREED by and</p> <p>3 between the parties through their respective</p> <p>4 counsel that the video deposition of RON</p> <p>5 HELVESTON may be taken before Tanya D.</p> <p>6 Cornelius, RPR, CSR, and Notary Public, at the</p> <p>7 offices of Wilkinson Law Firm, P.C., 1717 3rd</p> <p>8 Avenue North, Suite A, Birmingham, Alabama, on</p> <p>9 the 17th day of January, 2024, commencing at</p> <p>10 approximately 1:36 p.m.</p> <p>11 IT IS FURTHER STIPULATED AND AGREED</p> <p>12 that the signature to and the reading of the</p> <p>13 deposition by the witness is NOT waived, the</p> <p>14 deposition to have the same force and effect as</p> <p>15 if full compliance had been had with all laws</p> <p>16 and rules of Court relating to the taking of</p> <p>17 depositions.</p> <p>18 IT IS FURTHER STIPULATED AND AGREED</p> <p>19 that it shall not be necessary for any</p> <p>20 objections to be made by counsel to any</p> <p>21 questions, except as to form or leading</p> <p>22 questions, and that counsel for the parties may</p> <p>23 make objections and assign grounds at the time</p>	<p style="text-align: right;">Page 4</p> <p>1 I N D E X</p> <p>2 EXAMINATION BY: PAGE NUMBER</p> <p>3 MS. PALMER 8</p> <p>4</p> <p>5</p> <p>6 *****</p> <p>7</p> <p>8 EXHIBIT INDEX</p> <p>9 PLAINTIFF'S EXHIBIT NO: PAGE NUMBER</p> <p>10 21 Notice of Deposition 31</p> <p>11 22 Job Listing 94</p> <p>12 23 Bonus Worksheet 107</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p>

<p style="text-align: right;">Page 5</p> <p>1 APPEARANCES</p> <p>2</p> <p>3 FOR THE PLAINTIFF:</p> <p>4 PALMER LAW, LLC</p> <p>5 BY: Leslie A. Palmer, Esq.</p> <p>6 104 23rd Street South, Suite 100</p> <p>7 Birmingham, Alabama 35233</p> <p>8</p> <p>9 WILKINSON LAW FIRM, P.C.</p> <p>10 BY: Cynthia Forman Wilkinson, Esq.</p> <p>11 1717 3rd Avenue North, Suite A</p> <p>12 Birmingham, Alabama 35203</p> <p>13</p> <p>14</p> <p>15 FOR THE DEFENDANTS:</p> <p>16 BAKER, DONELSON, BEARMAN, CALDWELL</p> <p>17 & BERKOWITZ, P.C.</p> <p>18 BY: Rachel Barlotta, Esq.</p> <p>19 420 North 20th Street, Suite 1400</p> <p>20 Birmingham, Alabama 35203</p> <p>21</p> <p>22 ALSO PRESENT: Kat Hendrix</p> <p>23 William Byrd, Videographer</p>	<p style="text-align: right;">Page 7</p> <p>1 2:21-CV-0300-MHH.</p> <p>2 Counsel, please identify yourselves</p> <p>3 for the record, starting with the plaintiff.</p> <p>4 MS. PALMER: Leslie Palmer for the</p> <p>5 plaintiff, Kathryn Hendrix.</p> <p>6 MS. WILKINSON: Cynthia Wilkinson for</p> <p>7 the plaintiff, Kathryn Hendrix.</p> <p>8 MS. BARLOTTA: Rachel Barlotta for</p> <p>9 defendant, CRC Insurance and Truist.</p> <p>10 VIDEOGRAPHER: Will the court</p> <p>11 reporter please administer the oath to the</p> <p>12 witness?</p> <p>13</p> <p>14 RON HELVESTON,</p> <p>15 being first duly sworn, was</p> <p>16 examined and testified as follows:</p> <p>17</p> <p>18</p> <p>19 THE REPORTER: Will this be usual</p> <p>20 stipulations?</p> <p>21 MS. BARLOTTA: We're going to read</p> <p>22 and sign. Thank you.</p> <p>23</p>
<p style="text-align: right;">Page 6</p> <p>1 I, Tanya D. Cornelius, RPR, CSR, and</p> <p>2 Notary Public, acting as Commissioner, certify</p> <p>3 that on this date, as provided by the Federal</p> <p>4 Rules of Civil Procedure, and the foregoing</p> <p>5 stipulation of counsel, there came before me at</p> <p>6 the offices of Wilkinson Law Firm, P.C., 1717 3rd</p> <p>7 Avenue North, Suite A, Birmingham, Alabama,</p> <p>8 beginning at 1:36 p.m., RON HELVESTON, witness in</p> <p>9 the above cause, for oral examination, whereupon</p> <p>10 the following proceedings were had:</p> <p>11</p> <p>12</p> <p>13 VIDEOGRAPHER: We are on the record.</p> <p>14 It is January 17th, 2024 at 1:36 p.m. My name is</p> <p>15 William Byrd, and the court reporter is Tanya</p> <p>16 Cornelius. We're here on behalf of Cite Court</p> <p>17 Reporting of Montgomery, Alabama.</p> <p>18 This is the video deposition of Ron</p> <p>19 Helveston, which was noticed by Cynthia</p> <p>20 Wilkinson, for case Hendrix V. CRC Insurance</p> <p>21 Services, Inc., et al., in the United States</p> <p>22 District Court for the Northern District of</p> <p>23 Alabama, Southern Division, Case Number</p>	<p style="text-align: right;">Page 8</p> <p>1 EXAMINATION</p> <p>2 BY MS. PALMER:</p> <p>3 Q. Good afternoon, Mr. Helveston. My</p> <p>4 name is Leslie Palmer, and I represent Kathryn</p> <p>5 Hendrix in her lawsuit against CRC and Truist.</p> <p>6 When we speak of Truist, we're speaking of Truist</p> <p>7 Financial and Truist Bank together as they've</p> <p>8 both been named in this lawsuit.</p> <p>9 Cynthia Wilkinson, you met her when</p> <p>10 you came in, she's also representing Ms. Hendrix,</p> <p>11 and we have you here today to take your</p> <p>12 deposition to get an understanding of your</p> <p>13 position with CRC and any facts that you may have</p> <p>14 related to the case.</p> <p>15 Is there any reason that you wouldn't</p> <p>16 be able to give a thorough, truthful deposition</p> <p>17 today?</p> <p>18 A. No.</p> <p>19 Q. Okay. Have you given depositions</p> <p>20 before?</p> <p>21 A. I have.</p> <p>22 Q. Okay. Related to employment or</p> <p>23 personal?</p>

<p style="text-align: right;">Page 9</p> <p>1 A. They're employment.</p> <p>2 Q. Employment cases? Is that in your</p> <p>3 role with CRC?</p> <p>4 A. Yes.</p> <p>5 Q. How many depositions would you say</p> <p>6 you have given in the past?</p> <p>7 A. Two.</p> <p>8 Q. Two? And do you remember anything</p> <p>9 about those particular depositions?</p> <p>10 A. Yes. One, one of our former</p> <p>11 employees raided our company and took over a</p> <p>12 hundred plus employees to -- and we all got</p> <p>13 deposed on that.</p> <p>14 Q. Would that be like a competition type</p> <p>15 lawsuit?</p> <p>16 A. Yes. Well, it would be, you know,</p> <p>17 taking our employees, so raiding our company.</p> <p>18 Q. And that was with CRC Insurance?</p> <p>19 A. Yeah.</p> <p>20 Q. When was that?</p> <p>21 A. Oh, god. That was probably six or</p> <p>22 seven years ago. I'm guessing on that. It could</p> <p>23 have been longer.</p>	<p style="text-align: right;">Page 11</p> <p>1 A. I was on some of the e-mail trails.</p> <p>2 Q. On the e-mails?</p> <p>3 A. Yes.</p> <p>4 Q. When you gave the deposition for the</p> <p>5 company raid, what was your position with CRC?</p> <p>6 A. I was the CEO.</p> <p>7 Q. And when you gave the deposition for</p> <p>8 the New York office, what was your --</p> <p>9 A. I was the CEO.</p> <p>10 Q. How long were you the CEO for CRC?</p> <p>11 A. You know what, I don't know those</p> <p>12 dates, to be honest with you. Driving over here,</p> <p>13 I knew you were going to ask me that. But I --</p> <p>14 six or seven years, but, again, that would be a</p> <p>15 guess.</p> <p>16 Q. What was your position before that?</p> <p>17 A. I was president.</p> <p>18 Q. President. So let's start kind of</p> <p>19 from -- are you employed there now?</p> <p>20 A. No.</p> <p>21 Q. Okay. When did you leave CRC?</p> <p>22 A. I retired on 12/31/20.</p> <p>23 Q. Covid was enough for you, huh?</p>
<p style="text-align: right;">Page 10</p> <p>1 Q. Was that before CRC became affiliated</p> <p>2 with BB&T or Truist?</p> <p>3 A. No, after.</p> <p>4 Q. And would it have been during the</p> <p>5 BB&T era --</p> <p>6 A. Yes.</p> <p>7 Q. -- or the Truist era?</p> <p>8 A. BB&T era.</p> <p>9 Q. And you said two depositions?</p> <p>10 A. Yes.</p> <p>11 Q. Were both related to that particular</p> <p>12 instance?</p> <p>13 A. No.</p> <p>14 Q. Okay. What was the other one?</p> <p>15 A. The other one was an employee in our</p> <p>16 New York office.</p> <p>17 Q. And what was that related to?</p> <p>18 A. Oh, god. He had several things. I</p> <p>19 think the thrust of it was age discrimination.</p> <p>20 Q. Okay. And you said the New York</p> <p>21 office. What would have been the purpose of your</p> <p>22 deposition in that case?</p> <p>23 MS. BARLOTTA: Object to the form.</p>	<p style="text-align: right;">Page 12</p> <p>1 A. Yes. Thirty-six years.</p> <p>2 Q. Thirty-six years. That's a long</p> <p>3 haul.</p> <p>4 Okay. And so roughly six, seven</p> <p>5 years, somewhere around there before 2020, you</p> <p>6 would have been the CEO?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. And then before you were the</p> <p>9 CEO, you were president. Do you know roughly how</p> <p>10 many years you were president?</p> <p>11 A. No, because really the guy that left</p> <p>12 and took our employees and I were co-president.</p> <p>13 So I was co-president and then president and then</p> <p>14 CEO. And I cannot give you those dates. I'm</p> <p>15 sorry.</p> <p>16 Q. Was it more or less than ten years?</p> <p>17 A. All together, it was more than ten</p> <p>18 years.</p> <p>19 Q. The co-president and president?</p> <p>20 A. Oh, no, that was only like two or</p> <p>21 three years, because he left, and then I became</p> <p>22 president for a little while, and then I became</p> <p>23 CEO. It all kind of ran together, to be honest.</p>

<p>Page 13</p> <p>1 Q. Yeah, like a ball rolling down the 2 hill?</p> <p>3 A. Yes.</p> <p>4 Q. Did you work for CRC before you were 5 co-president?</p> <p>6 A. Oh, yes.</p> <p>7 Q. What was your position then?</p> <p>8 A. I was a broker.</p> <p>9 Q. A broker. How long were you a 10 broker, roughly?</p> <p>11 A. I was a broker at least twenty-five 12 years. And when I was president, I was still a 13 broker.</p> <p>14 Q. Okay.</p> <p>15 A. And when I was co-president, I was 16 still a broker.</p> <p>17 Q. Is John Cadden the president now?</p> <p>18 A. John Cadden is the president of the 19 Birmingham office.</p> <p>20 Q. Okay. And you made a distinction 21 there. Does that mean you were the president 22 over all the offices?</p> <p>23 A. Yes.</p>	<p>Page 15</p> <p>1 Q. General liability?</p> <p>2 A. Slip and falls.</p> <p>3 Q. Okay.</p> <p>4 A. You know, things that good lawyers 5 would sue for.</p> <p>6 Q. If I don't sue for those things, does 7 that make me not a good lawyer?</p> <p>8 Okay. So how did -- when you were a 9 casualty broker, were you here in the Birmingham 10 office?</p> <p>11 A. Yes.</p> <p>12 Q. How was your team structured?</p> <p>13 A. I was the lead broker, then I had an 14 associate broker, and I had two underwriting 15 assistants.</p> <p>16 Q. And that's what they were called, 17 underwriting assistants?</p> <p>18 A. Yes. Technical assistants, 19 underwriting assistants.</p> <p>20 Q. Okay. I've seen technical assistant. 21 Can you tell me at the time that you 22 were acting as a broker in the casualty 23 department what the job duties would be for a</p>
<p>Page 14</p> <p>1 Q. Okay. And that was the whole time 2 you were co-president and president?</p> <p>3 A. Yes.</p> <p>4 Q. How many offices would that involve?</p> <p>5 A. Close to -- somewhere around fifteen. 6 And I need to make a distinction. I was 7 president and CEO of CRC -- the brokerage 8 division of CRC Insurance Services. There's also 9 an underwriting division and a programs division.</p> <p>10 Q. Okay. Are all of those divisions of 11 a larger company?</p> <p>12 A. Well, they are BB&T Holdings. The 13 name has changed since Truist got involved in it, 14 but that's -- it was all under that same 15 insurance umbrella.</p> <p>16 Q. Okay. And you were the president of 17 a particular division nationwide?</p> <p>18 A. Right. I was president of the 19 brokerage division.</p> <p>20 Q. What type of broker were you?</p> <p>21 A. I was a casualty broker.</p> <p>22 Q. What do casualty brokers do?</p> <p>23 A. That's liability.</p>	<p>Page 16</p> <p>1 lead broker? Like what would you do day in and 2 day out?</p> <p>3 A. You know, when you have a team that 4 small and you write a lot of business, we do a 5 little bit of everything. I brokered accounts. 6 I sent out submissions. I actually sent out the 7 binders. I did everything. Whatever it took, we 8 did.</p> <p>9 My main goal was to go out, bring 10 business in, and try to write it and service 11 agents, visit companies.</p> <p>12 Q. Did that require a lot of travel?</p> <p>13 A. Not as much, no. Maybe once a month.</p> <p>14 Q. Okay. What about long hours? Was 15 it --</p> <p>16 A. Oh, yeah, a lot of long hours.</p> <p>17 Q. What about the associate broker?</p> <p>18 What would your associate broker do?</p> <p>19 A. Well, he would -- he learned -- it 20 took him -- the thing about insurance, each one 21 of the divisions, property, casualty, and 22 professional, are different, but the casualty 23 broker, you have a two- or three-year learning</p>

<p style="text-align: right;">Page 17</p> <p>1 curve. And so for two or three years, he was 2 learning the business. And an associate broker 3 wants to be a broker. 4 Q. Okay. 5 A. So they're in there learning from you 6 in order to become a broker, to get their own 7 book of business and be a broker. 8 Q. Okay. So we heard some stuff in an 9 earlier deposition about an internship program 10 that CRC used to have. Are you familiar with 11 that? 12 A. Yes. 13 Q. Would an associate broker be similar 14 to like when they did the internships? 15 A. No. 16 MS. BARLOTTA: Object to the form. 17 Q. No? Okay. Would the associate 18 broker do everything that you were doing? 19 A. Yes. 20 Q. Just kind of under your tutelage? 21 A. Yes. 22 Q. And then what about your technical 23 assistants or your underwriter assistants? What</p>	<p style="text-align: right;">Page 19</p> <p>1 Q. Okay. So how much travel would be 2 required for your associate broker? 3 A. Very little at first, and then when I 4 would go, I would bring them in order to 5 introduce them to all my agents, and they would 6 learn the company. So we'd go to Atlanta and let 7 them learn the underwriters. 8 Q. Would they eventually take those from 9 you or would they -- 10 MS. BARLOTTA: Object to the form. 11 A. When I had them, we bumped up -- when 12 I gave up my book, he took it. 13 Q. Okay. Who was your associate broker? 14 A. Andrew Baker. 15 Q. Andrew Baker. Is he still there now? 16 A. Yes. 17 MS. BARLOTTA: I was sorority sisters 18 with his wife, Kerri. 19 THE WITNESS: Oh, really, Kerri? 20 MS. BARLOTTA: Yes. 21 MS. PALMER: It's a small world. 22 Q. (BY MS. PALMER:) Did you ever have 23 an associate -- I'm sorry -- an inside broker</p>
<p style="text-align: right;">Page 18</p> <p>1 were they doing? 2 A. They were processing paper and just 3 keeping all -- there's a tremendous amount of 4 paperwork and flow, and you have to be very 5 current, and they were just constantly keeping 6 up. 7 Q. Okay. Did they ever do the binders 8 and submissions? 9 A. Oh, yes. 10 Q. So what would be the big difference 11 between your underwriter or technical assistant 12 and an associate broker? 13 MS. BARLOTTA: Object to the form. 14 Q. You can answer. 15 MS. BARLOTTA: You can answer the 16 question. She's asking for your team 17 specifically. 18 A. Yeah, on my team, on my team, the 19 associate broker was required to -- was expected 20 to learn all the agents, go out and visit them 21 and bring business in. And the technical 22 assistants were to process the paper part of 23 that.</p>	<p style="text-align: right;">Page 20</p> <p>1 when you were a broker? 2 A. No. 3 Q. No inside broker? Do you have an 4 understanding in your role as president and CEO 5 as what an inside broker would do? 6 MS. BARLOTTA: Object to form. 7 A. You have to understand that every 8 team functioned a little bit different. So what 9 I say an inside broker might do might -- it 10 depends on the number of people and how much 11 business you have. So I can't really say that. 12 I mean, inside broker, a lot of times 13 they processed a lot of paper and did those kind 14 of things. Most inside brokers did not want to 15 become brokers. They just wanted to deal with 16 companies and agents and work accounts. 17 But every team could utilize the 18 people on their team the best -- you know, in 19 order to write the most business. 20 Q. Okay. You said that most people that 21 were inside brokers didn't want to be brokers. 22 Why is that? 23 MS. BARLOTTA: Object to the form.</p>

<p style="text-align: right;">Page 21</p> <p>1 Q. Or why do you believe?</p> <p>2 MS. BARLOTTA: Object to the form.</p> <p>3 A. Because they would have made them</p> <p>4 associate brokers. We -- if you wanted to become</p> <p>5 a broker, we'll give you an avenue to become a</p> <p>6 broker. And most all of the associate brokers</p> <p>7 let us know that they wanted to be brokers. And</p> <p>8 so we brought them outside the office and let</p> <p>9 them do all the things that a broker would do to</p> <p>10 build up a book.</p> <p>11 And then one day when they had enough</p> <p>12 people, they would come to us and say, it's time</p> <p>13 for me to become a broker, and we'd look at them</p> <p>14 and say yes or no, if you've got to do a little</p> <p>15 more, but that's how we did it.</p> <p>16 Q. But in order to do that, would they</p> <p>17 need to be an associate broker first?</p> <p>18 MS. BARLOTTA: Object to the form.</p> <p>19 A. Not necessarily.</p> <p>20 Q. How would they do that if they</p> <p>21 weren't an associate broker?</p> <p>22 A. Well, some of them -- well, you know,</p> <p>23 I'm not sure I quite understood -- you have to</p>	<p style="text-align: right;">Page 23</p> <p>1 team, on a team with four or five people,</p> <p>2 everybody had to do everything. So there wasn't</p> <p>3 I only do this or I only do that. We all did</p> <p>4 everything.</p> <p>5 Q. Okay.</p> <p>6 A. And that's how most of those teams</p> <p>7 are.</p> <p>8 Q. And as the CEO, so I want to shift to</p> <p>9 a specific time period of like '17 -- 2017, '18,</p> <p>10 '19, you were the CEO then, right?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. So as the CEO in '17, '18,</p> <p>13 '19, what oversight did you have over how those</p> <p>14 teams managed their employees?</p> <p>15 MS. BARLOTTA: Object to the form.</p> <p>16 A. You know what, that was done by</p> <p>17 the -- the office presidents had that oversight.</p> <p>18 Q. Okay.</p> <p>19 A. And then the office presidents would</p> <p>20 go to the regional directors, and the regional</p> <p>21 directors would come to me. So they had a lot of</p> <p>22 -- they had a couple of layers before they got to</p> <p>23 me. So, quite frankly, I didn't have a lot of</p>
<p style="text-align: right;">Page 22</p> <p>1 understand, there's no set way to get there. I</p> <p>2 mean, so you could have been a -- we could have</p> <p>3 hired you as somebody from an insurance company</p> <p>4 that knew a lot, and you'd slide right into it,</p> <p>5 you know.</p> <p>6 We hired people that didn't have a</p> <p>7 lot of -- as much talent but were able to be</p> <p>8 brokers. So it really -- it just kind of</p> <p>9 depends. I mean, there's no set rule.</p> <p>10 Q. Okay.</p> <p>11 A. It's more about how much volume you</p> <p>12 can bring in. Can you support yourself.</p> <p>13 Q. Okay. There are job descriptions,</p> <p>14 though, right?</p> <p>15 A. Yes.</p> <p>16 Q. And how do you go about making sure</p> <p>17 that titles match job descriptions?</p> <p>18 MS. BARLOTTA: Object to form.</p> <p>19 A. You know, that -- those were -- we</p> <p>20 didn't do that really, to be honest with you.</p> <p>21 Q. Okay.</p> <p>22 A. Because we gave you as much authority</p> <p>23 as you wanted. I mean, like I say, on a small</p>	<p style="text-align: right;">Page 24</p> <p>1 oversight over that.</p> <p>2 Q. Okay. Did you have any oversight as</p> <p>3 the CEO in that time period over hiring of</p> <p>4 brokers?</p> <p>5 MS. BARLOTTA: Object to form.</p> <p>6 A. Sometimes yes, and most times no. If</p> <p>7 they came to us, if the office president came to</p> <p>8 us and made a pitch that they wanted to hire this</p> <p>9 broker, if it made sense, we let them do it, I</p> <p>10 mean, and it comes out of their P&L. So if they</p> <p>11 want to take a chance on somebody, we let them do</p> <p>12 it.</p> <p>13 Q. Okay. How involved would you be in</p> <p>14 the hiring process?</p> <p>15 MS. BARLOTTA: Object to form.</p> <p>16 A. Not very much to be -- because,</p> <p>17 remember, I'm over all of the offices. So every</p> <p>18 time they want to hire somebody, I don't go out</p> <p>19 there and talk -- sometimes I do, but not very</p> <p>20 often. They have the -- they do the whole</p> <p>21 procedure.</p> <p>22 Q. Okay. So when you were the CEO, you</p> <p>23 were still over all the offices?</p>

<p style="text-align: right;">Page 25</p> <p>1 A. Yes.</p> <p>2 Q. Okay. Was there -- do you recall</p> <p>3 interviewing anybody for broker positions between</p> <p>4 -- during the time that you were a CEO?</p> <p>5 MS. BARLOTTA: Object to form.</p> <p>6 A. I'm sure I did. I'm sure I was in</p> <p>7 the office, and the office president or the</p> <p>8 regional director would say, Hey, we're thinking</p> <p>9 about hiring this person, talk to them. I'm sure</p> <p>10 I did that.</p> <p>11 Q. Okay.</p> <p>12 A. I don't know any specific names or</p> <p>13 anything.</p> <p>14 Q. What would be the purpose of you</p> <p>15 talking to them if you --</p> <p>16 MS. BARLOTTA: Object to form.</p> <p>17 A. Just another set of eyes on them.</p> <p>18 Q. What types of things would you as the</p> <p>19 CEO and a past broker look for in hiring?</p> <p>20 MS. BARLOTTA: Object to form.</p> <p>21 A. Well, you know, their personality,</p> <p>22 their drive, you know, what they're looking for,</p> <p>23 where they want to go.</p>	<p style="text-align: right;">Page 27</p> <p>1 transfer into that role?</p> <p>2 A. No.</p> <p>3 Q. Did you speak to her before her</p> <p>4 transfer about any aspiration that she had?</p> <p>5 A. No.</p> <p>6 Q. Did anybody before -- let's say</p> <p>7 before 2019, did anybody express any complaints</p> <p>8 to you about Kathryn Hendrix?</p> <p>9 A. No.</p> <p>10 Q. And her job performance?</p> <p>11 A. No.</p> <p>12 Q. Do you remember interviewing Brandon</p> <p>13 Hayes?</p> <p>14 A. Oh, that name sounds familiar, but I</p> <p>15 do not remember that.</p> <p>16 Q. He's a lawyer, came to work there as</p> <p>17 an associate broker. Does that ring any bells?</p> <p>18 A. You know, I remember the fact that he</p> <p>19 was a lawyer, but that's about all I remember.</p> <p>20 Q. Okay. Do you remember if he had any</p> <p>21 previous insurance experience?</p> <p>22 A. I don't remember. I don't remember</p> <p>23 him, so I wouldn't remember that.</p>
<p style="text-align: right;">Page 26</p> <p>1 Q. Okay. You're familiar with Kat</p> <p>2 Hendrix, right?</p> <p>3 A. With what?</p> <p>4 Q. Kathryn Hendrix?</p> <p>5 A. Oh, yeah, of course.</p> <p>6 Q. And you knew Kathryn before she</p> <p>7 started working for CRC?</p> <p>8 A. Yes.</p> <p>9 Q. So were you involved at all in</p> <p>10 Kathryn's hiring process?</p> <p>11 A. No.</p> <p>12 Q. Did you even know that she was</p> <p>13 applying?</p> <p>14 A. No.</p> <p>15 Q. So are you aware that at some point</p> <p>16 she transitioned from her previous role into a</p> <p>17 role in the proper -- I'm sorry -- in the</p> <p>18 professional liability department?</p> <p>19 A. Yes.</p> <p>20 Q. Okay. And whose team did you become</p> <p>21 aware that she worked under?</p> <p>22 A. Corey Daugherty.</p> <p>23 Q. Did you have anything to do with her</p>	<p style="text-align: right;">Page 28</p> <p>1 Q. Yeah.</p> <p>2 Okay. So you said earlier that when</p> <p>3 you were a broker, you were involved in a lot of</p> <p>4 paperwork yourself.</p> <p>5 A. Yes.</p> <p>6 Q. Did that require a lot of computer</p> <p>7 use?</p> <p>8 A. Yes.</p> <p>9 Q. Thank God for computers sometimes.</p> <p>10 A. I couldn't do it without computers.</p> <p>11 Q. Did you regularly communicate via</p> <p>12 e-mail on the computers?</p> <p>13 MS. BARLOTTA: Object to the form.</p> <p>14 A. Yes.</p> <p>15 Q. And your communications, would that</p> <p>16 be companywide? Like if you had an issue that</p> <p>17 you needed to talk to, say, John Cadden about,</p> <p>18 would you walk down the hall and talk to him or</p> <p>19 would you shoot him an e-mail?</p> <p>20 MS. BARLOTTA: Object to form.</p> <p>21 A. It depends.</p> <p>22 Q. There were times that you did both?</p> <p>23 A. Yes.</p>

<p>Page 29</p> <p>1 Q. Okay. Did you ever have an occasion 2 to text message him?</p> <p>3 MS. BARLOTTA: Object to form.</p> <p>4 A. Yes.</p> <p>5 Q. Okay. Did you have a company phone?</p> <p>6 A. Yes.</p> <p>7 Q. Do you still have a company phone?</p> <p>8 A. No.</p> <p>9 Q. When did you give up your company 10 phone?</p> <p>11 A. On 12/31/20.</p> <p>12 Q. Gladly, right?</p> <p>13 Did you have a company phone the 14 whole time?</p> <p>15 A. No. I was with the company 16 thirty-six years. They didn't provide phones way 17 back when. I was employee number nine.</p> <p>18 Q. You didn't have one of those cool car 19 phones with the curly cord?</p> <p>20 When you did finally get a company 21 phone, was it always provided by the company?</p> <p>22 MS. BARLOTTA: Object to form.</p> <p>23 A. Yes.</p>	<p>Page 31</p> <p>1 we left off.</p> <p>2 (Whereupon, Plaintiff's Exhibit No. 3 21 was marked for identification and a copy of 4 same is attached hereto.)</p> <p>5 Q. (BY MS. PALMER:) Do you recognize 6 Plaintiff's Exhibit 21 that I've just given you?</p> <p>7 A. No.</p> <p>8 Q. This is a notice -- I'll represent to 9 you that this is a notice to take your deposition 10 in this case, and it says re-notice because we've 11 had some trouble with scheduling.</p> <p>12 If you'll flip to me -- you'll hear 13 me do that a million times. Flip for me to the 14 second page, and it asks for some documents to be 15 brought to the deposition.</p> <p>16 What documents did you use to prepare 17 for your deposition today?</p> <p>18 A. I didn't use any documents.</p> <p>19 Q. Okay. What did you do to prepare for 20 your deposition today?</p> <p>21 A. I just kind of thought about, as best 22 I could, what happened four to five years ago.</p> <p>23 Q. Okay. And don't tell me what you</p>
<p>Page 30</p> <p>1 Q. It was a company-owned?</p> <p>2 A. Yes.</p> <p>3 Q. Were there any particular rules that 4 went along with the use of that phone?</p> <p>5 MS. BARLOTTA: Object to form.</p> <p>6 A. Well, some phones were not company. 7 Not every broker had a company phone. It was 8 your choice.</p> <p>9 Q. Okay.</p> <p>10 A. So they could -- I could have had my 11 own thing and they just put it on my expense 12 account. So you can do it either way. I had a 13 personal phone -- I mean I had a company phone.</p> <p>14 Q. Okay. Is there a way that we would 15 be able to determine -- like how would that 16 expense account look if it had a phone on it?</p> <p>17 MS. BARLOTTA: Object to form.</p> <p>18 A. You know what, I don't know. I 19 didn't see those expense accounts.</p> <p>20 Q. Let me go ahead and mark this one 21 before I forget.</p> <p>22 MS. PALMER: And, Rachel, we're going 23 to start with 21, because I believe that's where</p>	<p>Page 32</p> <p>1 talked about, but did you meet with Ms. Barlotta 2 to prepare?</p> <p>3 A. Yes.</p> <p>4 Q. How long did you meet with her?</p> <p>5 A. Two hours maybe.</p> <p>6 Q. Number two on the document here asks 7 for any text messages, e-mails, or other 8 documents discussing Kathryn Hendrix, including 9 her employment, medical leave, or complaints.</p> <p>10 Do you have possession of any text 11 messages related to Kathryn Hendrix?</p> <p>12 A. I do not.</p> <p>13 Q. Do you have possession of any e-mails 14 related to Kathryn Hendrix?</p> <p>15 A. I do not.</p> <p>16 Q. Do you have possession of any other 17 documents related to Kathryn Hendrix?</p> <p>18 A. I do not.</p> <p>19 Q. What searches did you do to confirm 20 that you don't have any of these things that were 21 requested?</p> <p>22 A. I would not -- in the deposition, I 23 was not -- I've been retired three years, so I</p>

<p style="text-align: right;">Page 33</p> <p>1 didn't have the ability to do any searches.</p> <p>2 Q. So from 2019 to the date of your</p> <p>3 retirement at the end of 2020, did you do any</p> <p>4 searches for those documents at that time?</p> <p>5 MS. BARLOTTA: Object to the form.</p> <p>6 A. I actually tried to look on my phone</p> <p>7 to see if I had texted her to go to lunch or not,</p> <p>8 and I could not find anything on my phone.</p> <p>9 Q. How did you look on your phone?</p> <p>10 A. I just went --</p> <p>11 Q. Kind of scrolled?</p> <p>12 A. Yeah.</p> <p>13 Q. You didn't type in any particular</p> <p>14 search term?</p> <p>15 A. I did that, too.</p> <p>16 Q. Okay. Do you remember what you would</p> <p>17 have typed in?</p> <p>18 A. I would have typed in her name.</p> <p>19 Q. Name? What about e-mail, did you do</p> <p>20 that same kind of search in your e-mail?</p> <p>21 A. At one time, yes. To my knowledge, I</p> <p>22 didn't have any e-mails to Kathryn.</p> <p>23 Q. Okay. What about to anyone</p>	<p style="text-align: right;">Page 35</p> <p>1 CRC to, the actual entity?</p> <p>2 A. Well, we sold it to BB&T Insurance.</p> <p>3 BB&T, Bank Branch --</p> <p>4 Q. Branch Banking & Trust?</p> <p>5 A. Yeah, that's it.</p> <p>6 Q. And before that happened, before that</p> <p>7 sale, you were in the Birmingham office, correct?</p> <p>8 A. Yes.</p> <p>9 Q. Did you have a human resources</p> <p>10 department?</p> <p>11 A. Yes.</p> <p>12 Q. Who would have been in charge of the</p> <p>13 human resources department?</p> <p>14 A. We had a couple of them. I think the</p> <p>15 last one would have been Melody Banks.</p> <p>16 Q. Okay. And when you sold the company</p> <p>17 to BB&T, what happened to the human resources</p> <p>18 department?</p> <p>19 A. They carried it over -- we all got</p> <p>20 five-year contracts, so they carried over also.</p> <p>21 Q. Okay. So Melody stayed on with the</p> <p>22 company for five years?</p> <p>23 A. No. She left early.</p>
<p style="text-align: right;">Page 34</p> <p>1 concerning Kathryn?</p> <p>2 A. Not that I can remember.</p> <p>3 Q. Okay. Did you -- let's see. I make</p> <p>4 these outlines, and then I hop all over the place</p> <p>5 and get all confused.</p> <p>6 Okay. Let's go back to the</p> <p>7 corporation. So you referenced earlier that at</p> <p>8 some point, BB&T became involved with CRC.</p> <p>9 A. Yes.</p> <p>10 Q. How did that happen?</p> <p>11 A. They purchased CRC.</p> <p>12 Q. Okay. Were you involved in that</p> <p>13 process at all?</p> <p>14 A. As an owner, I was involved in that</p> <p>15 process.</p> <p>16 Q. Okay. So you were an owner of CRC</p> <p>17 Services, Inc.?</p> <p>18 A. Yes.</p> <p>19 Q. So in order to purchase CRC -- in</p> <p>20 order to purchase CRC, BB&T would have had to</p> <p>21 purchase it from you; is that right?</p> <p>22 A. Yes.</p> <p>23 Q. What -- do you recall who you sold</p>	<p style="text-align: right;">Page 36</p> <p>1 Q. Okay. Did the human resources</p> <p>2 department in the Birmingham office exist for</p> <p>3 five years after the purchase?</p> <p>4 MS. BARLOTTA: Object to form.</p> <p>5 A. Yes, I think it did. I'm not a</p> <p>6 hundred percent sure. At some point, BB&T came</p> <p>7 in and took over the human resources department.</p> <p>8 Q. Okay. And whenever that point was,</p> <p>9 once they did that, would BB&T house a person in</p> <p>10 the Birmingham office of CRC?</p> <p>11 MS. BARLOTTA: Object to form.</p> <p>12 A. They may have had a person in there</p> <p>13 just to kind of do the paperwork, but they didn't</p> <p>14 really have -- the person we contacted was a lady</p> <p>15 named Stefani Petty, and she was -- I think she</p> <p>16 was in the Carolinas.</p> <p>17 Q. Did CRC or BB&T provide any training</p> <p>18 to the Birmingham employees --</p> <p>19 MS. BARLOTTA: Object to form.</p> <p>20 Q. -- after the purchase related to any</p> <p>21 changes that may occur in human resources?</p> <p>22 MS. BARLOTTA: Object to form.</p> <p>23 A. We -- BB&T instituted a deal where we</p>

<p>Page 37</p> <p>1 took -- every employee had to take online</p> <p>2 classes, and there were probably five a year, and</p> <p>3 there was -- it was about banking. It was about</p> <p>4 insurance. It was about all the human resources</p> <p>5 things, and it was -- I probably -- I think</p> <p>6 everybody -- it was mandatory that everybody in</p> <p>7 the company take those classes.</p> <p>8 Q. Okay. Did you take those classes?</p> <p>9 A. Oh, yes.</p> <p>10 Q. Specifically talking about the human</p> <p>11 resources classes, would those be that kind of</p> <p>12 click-through training?</p> <p>13 A. Yes. You would have to read the --</p> <p>14 you would read about it, and then they would give</p> <p>15 you scenarios, and you would try to answer yay or</p> <p>16 nay or if you're -- trying to see if you</p> <p>17 understood it.</p> <p>18 Q. And were any of those trainings or</p> <p>19 scenarios related to dealing with employee</p> <p>20 complaints?</p> <p>21 A. Yes.</p> <p>22 Q. Okay. Did you take specific training</p> <p>23 about dealing with employee complaints?</p>	<p>Page 39</p> <p>1 Q. And do you understand that to mean</p> <p>2 that somebody that may be involved in a situation</p> <p>3 shouldn't be the one looking into it?</p> <p>4 MS. BARLOTTA: Object to form.</p> <p>5 A. Yes.</p> <p>6 Q. Okay. Do you agree that that's best</p> <p>7 practices in employment?</p> <p>8 MS. BARLOTTA: Object to form.</p> <p>9 A. I -- yes.</p> <p>10 Q. So if somebody is making a</p> <p>11 complaint -- say if I make a complaint about</p> <p>12 Cynthia over here, Cynthia shouldn't be the one</p> <p>13 investigating my complaint, right?</p> <p>14 A. Right.</p> <p>15 MS. BARLOTTA: Object to form.</p> <p>16 Q. Was that practice followed as far as</p> <p>17 you understood at CRC and Truist?</p> <p>18 MS. BARLOTTA: Object to form.</p> <p>19 A. You know, I wasn't involved in most</p> <p>20 of that, so I don't know.</p> <p>21 Q. Okay. What would be your specific</p> <p>22 role if you received an employee complaint?</p> <p>23 MS. BARLOTTA: Object to form.</p>
<p>Page 38</p> <p>1 MS. BARLOTTA: Object to form.</p> <p>2 A. I -- yes.</p> <p>3 Q. What do you recall about how to deal</p> <p>4 with an employee complaint?</p> <p>5 MS. BARLOTTA: Object to form.</p> <p>6 A. Well, it -- you know, it would just</p> <p>7 depend on what the complaint was, and then we</p> <p>8 would -- you would have to get both sides of the</p> <p>9 story. You couldn't just believe the employee.</p> <p>10 You would have to do some research on it.</p> <p>11 Q. Okay. What type of research?</p> <p>12 A. Well, you have to go to the --</p> <p>13 whatever the problem was, you would have to look</p> <p>14 at the side of it to see where -- if it made</p> <p>15 sense, or you would have to get the parties</p> <p>16 together. You would have to do some research and</p> <p>17 try to find out all the facts.</p> <p>18 Q. Okay. And are you familiar with the</p> <p>19 metaphor, You don't put the fox in charge of the</p> <p>20 hen house?</p> <p>21 MS. BARLOTTA: Object to form.</p> <p>22 Q. Does that sound familiar?</p> <p>23 A. Yeah.</p>	<p>Page 40</p> <p>1 A. It depends on what type of complaint</p> <p>2 it was.</p> <p>3 Q. Okay. If you received a complaint of</p> <p>4 discrimination.</p> <p>5 A. I would call Stefani Petty.</p> <p>6 Q. And ask Stefani Petty what to do?</p> <p>7 A. Yes, or I'd say, Stefani, you take</p> <p>8 this over.</p> <p>9 Q. Okay. And would you turn the</p> <p>10 employee over to Stefani as well?</p> <p>11 MS. BARLOTTA: Object to form.</p> <p>12 Q. That had complained?</p> <p>13 A. I would -- Stefani would contact the</p> <p>14 employee, obviously.</p> <p>15 Q. Do you recall ever speaking with</p> <p>16 Kathryn Hendrix about her ambitions in the</p> <p>17 company?</p> <p>18 A. No.</p> <p>19 Q. Did Kathryn ever talk to you about</p> <p>20 wanting to be a producer?</p> <p>21 A. Not to my knowledge.</p> <p>22 Q. I want to talk about some specific</p> <p>23 people just to kind of get an understanding here.</p>

<p>Page 41</p> <p>1 John Cadden you said is the current 2 president of the Birmingham -- 3 A. Yes. 4 Q. Is he the president of the Birmingham 5 office total, like the -- all three divisions? 6 A. No. 7 Q. Okay. What division is he president 8 over? 9 A. The brokerage division. 10 Q. Okay. But that would include 11 property, casualty -- 12 A. Yes. 13 Q. -- and professional? 14 A. Professional. 15 Q. Okay. And Rusty Hughes, who is Rusty 16 Hughes? 17 A. Rusty Hughes runs the professional 18 department in Birmingham. 19 Q. So he would be like the second down 20 from John as related to professional? 21 A. Yes. 22 Q. Professional in Birmingham. Is there 23 a person who is over the professional nationwide</p>	<p>Page 43</p> <p>1 Q. How long have you known Corey 2 Daugherty? 3 A. Gosh, Corey started in the mailroom, 4 the file room. 5 Q. How did he move up, if you're aware, 6 from the file room? 7 A. He started helping Betsy Barnett, and 8 she got to know Corey, liked him, and talked him 9 into coming into her department. 10 Q. Okay. So then he would have kind of 11 moved into an associate broker role? 12 A. Yes, broker in training and moving up 13 just like Rusty. 14 Q. What about Clay Segrest. Are you 15 familiar with Clay? 16 A. Yeah, Clay. I don't know that -- 17 Clay was -- when I was CEO, I knew Corey and 18 Rusty a lot better. Clay, when Clay was involved 19 in it, I was not controlling that office, and so 20 I don't -- I know Clay, but I don't know much 21 history about him. 22 Q. Okay. Do you know Steele Cadden? 23 A. Yes.</p>
<p>Page 42</p> <p>1 or is it office specific? 2 A. Office specific. 3 Q. Okay. How long have you known Rusty 4 Hughes? 5 A. Oh, god. Rusty is -- twenty years 6 probably. There again, that's a guess. 7 Q. Has he been a broker with CRC that 8 whole time? 9 A. Associate broker, training, yeah, 10 went through the whole process, yes. 11 Q. Okay. So associate broker, and/or 12 broker in training, and broker? 13 A. Yes. 14 Q. He was not ever an inside broker? 15 A. I do not think so. 16 Q. Okay. And not ever an account 17 executive? 18 A. I don't think so. 19 MS. BARLOTTA: Object to form. 20 Q. What about Corey Daugherty? 21 A. Okay. 22 Q. Is he a broker? 23 A. Yes.</p>	<p>Page 44</p> <p>1 Q. Is Steele Cadden John Cadden's son? 2 A. Yes. 3 Q. And is Steele Cadden now working for 4 CRC? 5 A. I do not know. 6 Q. Blake Helveston? 7 A. Yes. 8 Q. Is he your son? 9 A. Yes. 10 Q. And is he working for CRC? 11 A. Yes. 12 Q. What is his position? 13 A. He is a -- oh, I hate to tell you. 14 I'm pretty sure he's an inside broker. 15 Q. In what department? 16 A. He's a casualty. 17 Q. Who is he working under? 18 A. He's working under -- oh, god, I'm 19 going brain dead on my own son. Oh, gosh. I'll 20 think of it in a minute. He's a casualty broker. 21 I can see him, but I can't think of his name. 22 I'm sorry. 23 Q. I hate when I do that. It always</p>

<p>Page 45</p> <p>1 leaves my mouth.</p> <p>2 Did you have anything to do with</p> <p>3 Blake's hiring?</p> <p>4 A. Yes.</p> <p>5 Q. How would that have worked?</p> <p>6 A. I was retiring. We had a rule that</p> <p>7 -- we had a rule that you couldn't hire your</p> <p>8 children, you know, in the same -- especially in</p> <p>9 the same office. You really didn't want to hire</p> <p>10 them at all. And so I went to my boss, Dave</p> <p>11 Obenauer, and said, I'm retiring, and after I</p> <p>12 retire, can you hire Blake, and he said yes.</p> <p>13 Q. And Obenauer -- I know I'm saying</p> <p>14 that wrong.</p> <p>15 A. You're actually pretty good.</p> <p>16 Q. He's in Texas; is that right?</p> <p>17 A. No. He's actually in North Carolina;</p> <p>18 Asheville, North Carolina.</p> <p>19 Q. Okay. What is his position?</p> <p>20 A. He was my boss, and he was -- well,</p> <p>21 since I left, he's gotten more -- but he was over</p> <p>22 -- he was in BB&T Insurance, and he was over like</p> <p>23 all of the divisions, you know, underwriting,</p>	<p>Page 47</p> <p>1 hire their children.</p> <p>2 Q. Okay. What about when you were the</p> <p>3 CEO? What about inner office relationships? Was</p> <p>4 there any kind of rule about that?</p> <p>5 A. If you had an inner office</p> <p>6 relationship, you needed to notify HR.</p> <p>7 Q. Okay. What would be the purpose of</p> <p>8 having an employee notify HR?</p> <p>9 MS. BARLOTTA: Object to form.</p> <p>10 A. That's just -- they just set the</p> <p>11 rule. I guess so -- you know, you would see them</p> <p>12 in the office together, I guess. I don't know,</p> <p>13 to be honest.</p> <p>14 Q. When you were the owner of CRC, did</p> <p>15 you have a similar rule?</p> <p>16 MS. BARLOTTA: Object to form.</p> <p>17 A. I'm not sure we did, to be honest</p> <p>18 with you.</p> <p>19 Q. Okay. Are you familiar with Christy</p> <p>20 Smith?</p> <p>21 A. I'm sorry?</p> <p>22 Q. Christy Smith?</p> <p>23 A. Yes.</p>
<p>Page 46</p> <p>1 programs, and brokerage. He's since gotten a</p> <p>2 couple of promotions. So I don't know exactly</p> <p>3 what his title is now.</p> <p>4 Q. So he wasn't specifically CRC. He</p> <p>5 was part of that selling to CRC?</p> <p>6 A. Yes.</p> <p>7 Q. Okay. Or selling CRC. I misspoke.</p> <p>8 The rule about no hiring the kids, is</p> <p>9 that like a written policy?</p> <p>10 A. I think -- no, I think it was an</p> <p>11 unwritten policy.</p> <p>12 Q. Okay.</p> <p>13 A. It's since been done away with.</p> <p>14 Q. Okay. Do they have requirements now</p> <p>15 since they did away with it? Do they have</p> <p>16 requirements to make sure that there's not any</p> <p>17 kind of nepotism going on?</p> <p>18 MS. BARLOTTA: Object to form.</p> <p>19 A. Well, that rule was laxed sometime</p> <p>20 near the time that I was leaving, so I think it's</p> <p>21 complete -- I don't know how it is now. When I</p> <p>22 was the CEO, you couldn't do it. Now, but now I</p> <p>23 think they're saying, Hey, they want to let them</p>	<p>Page 48</p> <p>1 Q. Okay. How do you know Christy Smith?</p> <p>2 A. Oh, I'm sorry. No. Christy Sauder.</p> <p>3 I don't know Christy Smith. I may, but that's</p> <p>4 not ringing a bell like Christy Sauder was.</p> <p>5 Q. Who's Christy Sauder?</p> <p>6 A. She was in our claims department.</p> <p>7 Q. And what was her role?</p> <p>8 A. She was the head of Birmingham</p> <p>9 claims. She was actually the head of all claims</p> <p>10 for the company.</p> <p>11 Q. What about Karissa Keyes? Does that</p> <p>12 name sound familiar?</p> <p>13 A. No.</p> <p>14 Q. Lauren Lindberg?</p> <p>15 A. No.</p> <p>16 Q. Jonathan Morgan?</p> <p>17 A. No.</p> <p>18 Q. Andrea Sutton?</p> <p>19 A. No.</p> <p>20 Q. Yvette Talsma?</p> <p>21 A. No.</p> <p>22 Q. Or Sarah Dunston?</p> <p>23 A. Sarah Dunston sounds familiar. The</p>

<p style="text-align: right;">Page 49</p> <p>1 name sounds familiar, but I can't connect the</p> <p>2 dots on that one.</p> <p>3 Q. So as far as you can remember, those</p> <p>4 folks that you're saying don't sound familiar,</p> <p>5 you didn't have any dealings with them?</p> <p>6 A. I had no dealings with them, because</p> <p>7 I don't know who they are.</p> <p>8 Q. Okay. I want to take you to June of</p> <p>9 2019. You were still the CEO at that point,</p> <p>10 right?</p> <p>11 A. Yes.</p> <p>12 Q. And in June of 2019, did you have a</p> <p>13 meeting with Kathryn Hendrix?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. Where would that meeting take</p> <p>16 place?</p> <p>17 A. At a place called First Watch in</p> <p>18 Vestavia.</p> <p>19 Q. Do you remember when that was?</p> <p>20 A. You're telling me June, and I'm going</p> <p>21 to agree with you.</p> <p>22 Q. Okay. You don't remember the</p> <p>23 specific day?</p>	<p style="text-align: right;">Page 51</p> <p>1 call Kat?</p> <p>2 A. I was either traveling or I did it</p> <p>3 right away. I did it as soon as I could do it.</p> <p>4 Q. Within a week?</p> <p>5 A. Oh, yes.</p> <p>6 Q. And you set up this meeting at First</p> <p>7 Watch?</p> <p>8 A. Yes.</p> <p>9 Q. Okay. Was that like a breakfast</p> <p>10 meeting or a lunch meeting?</p> <p>11 A. Breakfast.</p> <p>12 Q. What did you eat? I'm kidding.</p> <p>13 Tell me what you can remember. Like</p> <p>14 just be back at that breakfast and tell me what</p> <p>15 you can remember.</p> <p>16 MS. BARLOTTA: Object to form.</p> <p>17 A. Okay. First off, when we sat down,</p> <p>18 my first question to her was: Is there anything</p> <p>19 sexual going on?</p> <p>20 Q. Why would you jump to that?</p> <p>21 A. Because if there was -- if anything</p> <p>22 in that neighborhood going on, I would have</p> <p>23 immediately had to say, Hey, I've got call</p>
<p style="text-align: right;">Page 50</p> <p>1 A. No.</p> <p>2 Q. Do you have any kind of calendar</p> <p>3 entries or anything that would document that?</p> <p>4 A. No, no.</p> <p>5 Q. How did you come to have that meeting</p> <p>6 at First Watch with Kat?</p> <p>7 A. My wife is a member of a birthday</p> <p>8 club that Kathryn's mother, Laura, is a member</p> <p>9 of. And they were at Lake Martin. I think they</p> <p>10 were actually on a boat, and my wife called me</p> <p>11 and said that I'm sitting here with Laura</p> <p>12 Hendrix, and she's telling me that Kathryn is</p> <p>13 unhappy at work. Can you please call her. And I</p> <p>14 said yes.</p> <p>15 Q. Okay. So did you call Kathryn?</p> <p>16 A. Yeah. I'm assuming I called her and</p> <p>17 not text or e-mailed her. I'm assuming that.</p> <p>18 But I don't know a hundred percent how we</p> <p>19 connected up.</p> <p>20 Q. Did your wife tell you what she meant</p> <p>21 by Kathryn was unhappy at work?</p> <p>22 A. No.</p> <p>23 Q. How soon after learning this did you</p>	<p style="text-align: right;">Page 52</p> <p>1 Stefani Petty, because that is, you know, not</p> <p>2 something that I can deal with.</p> <p>3 Q. Okay. All right.</p> <p>4 A. And her answer was no.</p> <p>5 Q. All right. And I assume the</p> <p>6 conversation continued from there?</p> <p>7 A. It did.</p> <p>8 Q. How so?</p> <p>9 A. Okay. Then I asked her what were the</p> <p>10 issues.</p> <p>11 Q. What do you remember her telling you?</p> <p>12 A. Okay. I remember her having five</p> <p>13 issues.</p> <p>14 Q. Okay.</p> <p>15 A. One: She wasn't -- she didn't feel</p> <p>16 like she was properly trained in order to be able</p> <p>17 to do the job.</p> <p>18 Q. Okay.</p> <p>19 A. Number two: She didn't feel like she</p> <p>20 had been assigned enough agents.</p> <p>21 Q. Okay.</p> <p>22 A. Number three: She didn't feel like</p> <p>23 she was getting invited to some of the lunches or</p>

<p style="text-align: right;">Page 53</p> <p>1 dinners.</p> <p>2 Q. Okay.</p> <p>3 A. Number four: There was a guy that</p> <p>4 did underwriting, and I'll think of his name in a</p> <p>5 minute, but she didn't feel like he liked her.</p> <p>6 And, oh, god, there's one more, too.</p> <p>7 Oh, there was a -- she said in the professional</p> <p>8 department, and I never really understood whether</p> <p>9 it was e-mail or text or what it is, but she told</p> <p>10 me that there were e-mails or texts -- there was</p> <p>11 communication going on in the professional</p> <p>12 department, and she wasn't included, and she felt</p> <p>13 like she was being left out.</p> <p>14 Q. Okay. Did you --</p> <p>15 A. Scott Trigg is the guy's name.</p> <p>16 Sorry. I got -- it comes in there slowly</p> <p>17 sometimes.</p> <p>18 Q. Did you ask her about the specifics</p> <p>19 of each of these categories?</p> <p>20 A. I'm sure we talked about it.</p> <p>21 Q. Did you talk specifically about any</p> <p>22 of these five particular complaints being related</p> <p>23 to her being a female?</p>	<p style="text-align: right;">Page 55</p> <p>1 experience and had been taught in order to be a</p> <p>2 broker. So when you're doing that, everything</p> <p>3 else gets magnified, number one.</p> <p>4 Number two: If you're not getting</p> <p>5 invited to lunches and dinners -- when company</p> <p>6 people come over, they pay, so they get to invite</p> <p>7 who they want to invite. And so if -- sometimes</p> <p>8 they don't want to take the whole department,</p> <p>9 because they have an expense account just like</p> <p>10 everybody else does. And so they invite the</p> <p>11 people they want or the people they're getting</p> <p>12 business from. That has nothing to do with</p> <p>13 gender.</p> <p>14 Scott Trigg, the underwriter that she</p> <p>15 felt didn't like her, Scott had a line slip,</p> <p>16 maybe he had two, but he was responsible for</p> <p>17 those line slips. And if -- so he was an</p> <p>18 underwriter.</p> <p>19 All underwriters are grouchy. I had</p> <p>20 a love-hate relationship with half of my</p> <p>21 underwriters. So the fact that he didn't like</p> <p>22 her could have been -- you know, I didn't like</p> <p>23 half my underwriters.</p>
<p style="text-align: right;">Page 54</p> <p>1 MS. BARLOTTA: Object to form.</p> <p>2 A. No.</p> <p>3 Q. If Kat were to say that -- do you</p> <p>4 remember -- do you remember speaking with Kat and</p> <p>5 saying, Oh, good. I thought this was one of</p> <p>6 those MeToo things?</p> <p>7 MS. BARLOTTA: Object to form.</p> <p>8 A. No.</p> <p>9 Q. If Kat says that she specifically</p> <p>10 told you this was gender related and it was a</p> <p>11 problem at CRC, would you dispute that?</p> <p>12 A. I would.</p> <p>13 MS. BARLOTTA: Object to form.</p> <p>14 Q. And would you agree with me that</p> <p>15 that's a pretty big thing to disagree about?</p> <p>16 MS. BARLOTTA: Object to form.</p> <p>17 A. Yes.</p> <p>18 Q. Why do you think Kat felt like she</p> <p>19 had these issues?</p> <p>20 MS. BARLOTTA: Object to form.</p> <p>21 A. Well, now, I'm assuming, but as of --</p> <p>22 look, she didn't -- she didn't feel like she was</p> <p>23 -- she had enough knowledge and had enough</p>	<p style="text-align: right;">Page 56</p> <p>1 Q. What about not being included in the</p> <p>2 communications?</p> <p>3 MS. BARLOTTA: Object to form.</p> <p>4 A. Well, there's so many different</p> <p>5 communications. I mean, there's all brokers;</p> <p>6 there's all casualty brokers; there's all</p> <p>7 property brokers; there's all brokers in</p> <p>8 Birmingham, all brokers in the Southeast, all</p> <p>9 brokers in Louisiana.</p> <p>10 There's so many different ones, and a</p> <p>11 lot of times brokers talk to brokers. They don't</p> <p>12 talk to their inside people. I mean, that's -- I</p> <p>13 didn't think that was any big deal.</p> <p>14 Q. Okay. Did -- when you were the owner</p> <p>15 or president, so your whole tenure at CRC, did</p> <p>16 you hire any females as brokers?</p> <p>17 MS. BARLOTTA: Object to form.</p> <p>18 A. I'm sure we did, yes, because we have</p> <p>19 female brokers.</p> <p>20 Q. You specifically.</p> <p>21 A. Oh, yeah, no. I mean, we hired --</p> <p>22 yeah, we hired one out of Louisiana. God, she</p> <p>23 still works in Birmingham in the property</p>

<p style="text-align: right;">Page 57</p> <p>1 department, and I'll think of her name in a</p> <p>2 minute.</p> <p>3 Q. And you hired her?</p> <p>4 MS. BARLOTTA: Object to form.</p> <p>5 A. Well, I was involved in hiring her.</p> <p>6 Skip Cooper actually hired her.</p> <p>7 Q. Is that the only one that you can</p> <p>8 remember?</p> <p>9 MS. BARLOTTA: Object to form.</p> <p>10 A. Yes.</p> <p>11 Q. Okay. And that's in your whole</p> <p>12 tenure as best you can remember?</p> <p>13 A. Remember, I was involved in the -- we</p> <p>14 had a -- even during my tenure, we had offices</p> <p>15 that did their own hiring. So I didn't know</p> <p>16 everybody that was hired.</p> <p>17 Q. Okay. Who would have been</p> <p>18 responsible for training Kathryn?</p> <p>19 MS. BARLOTTA: Object to form.</p> <p>20 A. Corey.</p> <p>21 Q. Corey?</p> <p>22 A. Yes.</p> <p>23 Q. And would that have been in both of</p>	<p style="text-align: right;">Page 59</p> <p>1 happy to give you any that you want out of that</p> <p>2 eighty list. So that would not be concerning at</p> <p>3 all. There should have been plenty.</p> <p>4 Q. Okay. And I guess that's what I'm</p> <p>5 saying is if there should have been plenty, but</p> <p>6 she wasn't getting them, does that kind of raise</p> <p>7 an eyebrow?</p> <p>8 MS. BARLOTTA: Object to the form.</p> <p>9 Assumes facts not in evidence.</p> <p>10 A. No. She could have asked for more.</p> <p>11 Q. Who would be responsible for</p> <p>12 determining who came to -- who was invited to the</p> <p>13 lunches and dinners?</p> <p>14 MS. BARLOTTA: Object to form.</p> <p>15 A. The underwriters.</p> <p>16 Q. The underwriters, which are your</p> <p>17 clients?</p> <p>18 A. Yeah, the ones that are paying.</p> <p>19 Q. Did they have a point of contact that</p> <p>20 they would reach out to to set that stuff up?</p> <p>21 A. No, I don't think so. They -- no.</p> <p>22 Q. Who would be responsible for</p> <p>23 assigning the agents --</p>
<p style="text-align: right;">Page 58</p> <p>1 her roles on this team?</p> <p>2 MS. BARLOTTA: Object to form.</p> <p>3 A. I'm not sure what roles.</p> <p>4 Q. Okay. So do you understand that when</p> <p>5 she transitioned from audit, she was an account</p> <p>6 executive? Is that knowledge that you have?</p> <p>7 A. No.</p> <p>8 Q. So you don't know what positions</p> <p>9 Kathryn Hendrix held at CRC?</p> <p>10 A. I had thought she had an inside</p> <p>11 broker position -- I mean, yeah, inside. But</p> <p>12 there again, I'm the CEO. I don't know what</p> <p>13 position most people have. I mean, within a</p> <p>14 team, I don't know everybody's position.</p> <p>15 Q. Okay. If she is an inside broker and</p> <p>16 she's raising a concern to you that she doesn't</p> <p>17 have enough agents, would that be concerning?</p> <p>18 MS. BARLOTTA: Object to form.</p> <p>19 A. No. What -- brokers have the</p> <p>20 eighty/twenty rule. They get eighty percent of</p> <p>21 their business from twenty percent of their</p> <p>22 agents, so they have a whole other list of</p> <p>23 agents. And most brokers would be more than</p>	<p style="text-align: right;">Page 60</p> <p>1 MS. BARLOTTA: Object to the form.</p> <p>2 Q. -- to their team?</p> <p>3 MS. BARLOTTA: Object to the form.</p> <p>4 A. To their team, that means -- some</p> <p>5 agents dealt with four or five teams. The</p> <p>6 customer gets to pick who they want to deal with.</p> <p>7 Q. Okay. Would the broker in charge of</p> <p>8 the customer be the one to assign to the folks</p> <p>9 under him, Hey, you manage this account?</p> <p>10 MS. BARLOTTA: Object to form.</p> <p>11 A. That should be. I assume that, but I</p> <p>12 don't know that on each -- each team is run a</p> <p>13 little different.</p> <p>14 Q. When Kat told you that she felt like</p> <p>15 she wasn't getting enough agents, did you ask her</p> <p>16 if she had asked for more?</p> <p>17 A. No.</p> <p>18 Q. Did -- what did you do -- what</p> <p>19 resolution did you come to, if any, at the --</p> <p>20 A. Okay. Yeah, I told her, I said,</p> <p>21 Let's go back to the office. I'll get Rusty,</p> <p>22 Corey, Cadden, you and I, we'll sit in a room,</p> <p>23 and we'll just hash it all out.</p>

<p style="text-align: right;">Page 61</p> <p>1 Q. And you specifically said Rusty, 2 Corey, and Cadden? 3 A. Yes. 4 Q. And why those three folks? 5 A. Well, because, you know, Corey was 6 her -- the broker. Rusty ran the department. 7 John ran the office. All three of them, you have 8 to include all three of them in the -- 9 Q. Did you say anything to Kat along the 10 lines of, If I tell them about your complaint, 11 you won't be able to go back to work there? 12 A. No, I never said that. 13 Q. Did you ask Kat if she was interested 14 in a transfer? 15 A. No, I didn't. What I did tell her is 16 that if this -- if she couldn't resolve the 17 situation, that we could look at transferring 18 her. 19 Q. And what did Kathryn say about going 20 back to the office and hashing it out? 21 A. She said she didn't want to do that, 22 that she wanted to handle it. 23 Q. How did you tell her to handle it, if</p>	<p style="text-align: right;">Page 63</p> <p>1 told him that we had had breakfast, and she had 2 had some concerns, and that she was going to talk 3 to Corey. And John said, Well, do I need to do 4 anything? And I said, Well, let's wait and let 5 her talk to Corey; and if she gets back to me, 6 I'm going to get back to you. 7 Q. Okay. And did you share with John 8 Cadden what her concerns were? 9 A. No, I did not. 10 Q. You just said, I had lunch with 11 Kathryn, and she had some concerns? 12 A. Breakfast with Kathryn. 13 Q. Yeah. Did you eventually tell John 14 Cadden -- what did you do after speaking with 15 John in the hallway, if anything, as related to 16 Kathryn's plans? 17 A. Nothing. 18 Q. Did you ever tell John Cadden to 19 reach out to her? 20 A. After I found out she was gone, I 21 asked John Cadden to reach out to her. 22 Q. How did you find out she was gone? 23 A. It's a guess, but I think my</p>
<p style="text-align: right;">Page 62</p> <p>1 you did? 2 MS. BARLOTTA: Object to form. 3 A. I told her to talk to Corey, and if 4 after talking to Corey she still wasn't 5 satisfied, to get back to me. 6 Q. Okay. And if Kat's recollection of 7 this whole conversation is different than yours, 8 would you dispute her version? 9 MS. BARLOTTA: Object to form. 10 A. Yes. 11 Q. And that is a pretty big difference 12 in stories, right? 13 MS. BARLOTTA: Object to form. 14 A. Yeah. 15 Q. Did you take any notes during the 16 meeting with her? 17 A. No. 18 Q. When you got back to the office, did 19 you e-mail anybody? 20 A. No. 21 Q. Did you call anybody? 22 A. Not right away. I saw John Cadden in 23 the hall maybe three or four days later, and I</p>	<p style="text-align: right;">Page 64</p> <p>1 assistant, Amy Elliott, told me. 2 Q. Do you remember what she said? 3 A. She said that Kathryn Hendrix is not 4 coming in the office -- did you hear Kathryn 5 Hendrix is not coming in the office anymore, 6 something to that effect. That's not a quote. 7 Q. And when you got that message from 8 Amy, you reached out to John? 9 A. Yes. 10 Q. And what did you tell John to do? 11 A. I said, John, Kathryn is not coming 12 in the office. You need to call her and find out 13 what's going on. 14 Q. Did he do that? 15 A. Yes. I called him a couple of days 16 later, and he said, Ron, I've called her three 17 times, and she won't call me back. 18 Q. Does John Cadden have a company 19 phone? 20 A. Yes. 21 Q. Did you try to call Kat at any time 22 after that meeting? 23 A. No.</p>

<p>Page 65</p> <p>1 Q. Did you e-mail her at any time after</p> <p>2 that meeting?</p> <p>3 A. No.</p> <p>4 Q. Did you e-mail John Cadden about Kat?</p> <p>5 A. No.</p> <p>6 Q. Why not?</p> <p>7 MS. BARLOTTA: Object to form.</p> <p>8 A. I mean, I told him to -- you're</p> <p>9 talking about after the meeting or after he tried</p> <p>10 to call her?</p> <p>11 MS. BARLOTTA: Are you asking him why</p> <p>12 he didn't send an e-mail instead of calling or</p> <p>13 are you asking why he didn't send an e-mail after</p> <p>14 they had a phone conversation?</p> <p>15 A. I'm not following you.</p> <p>16 Q. When you went to John and asked him</p> <p>17 to call her and he said he had and she hadn't</p> <p>18 answered, at any point during that time, did you</p> <p>19 e-mail him?</p> <p>20 A. No.</p> <p>21 Q. Why did you not send him any e-mails?</p> <p>22 MS. BARLOTTA: Object to form.</p> <p>23 A. Well, because at that point I told</p>	<p>Page 67</p> <p>1 A. No, I called her.</p> <p>2 Q. Why didn't you e-mail her?</p> <p>3 MS. BARLOTTA: Object to form.</p> <p>4 A. Because I always called her.</p> <p>5 Q. You never e-mailed Stefani Petty?</p> <p>6 MS. BARLOTTA: Object to form.</p> <p>7 A. Well, I may have e-mailed Stefani</p> <p>8 Petty, but I didn't do it in that particular</p> <p>9 case.</p> <p>10 Q. Is there any reason you didn't do it</p> <p>11 in that particular case?</p> <p>12 A. Well, I just thought it was quicker</p> <p>13 to pick up the phone and call her.</p> <p>14 Q. But she didn't pick up the phone?</p> <p>15 MS. BARLOTTA: Object to form.</p> <p>16 Mischaracterization.</p> <p>17 A. She didn't pick up the phone?</p> <p>18 Q. Right. When you called her, she</p> <p>19 didn't pick up the phone?</p> <p>20 A. I don't think so. I always had</p> <p>21 trouble getting her, so I assume she didn't, but</p> <p>22 she may have. Quite frankly, I don't remember.</p> <p>23 Q. If you have trouble getting somebody,</p>
<p>Page 66</p> <p>1 him I was going to call Stefani Petty, and I</p> <p>2 called Stefani Petty.</p> <p>3 Q. When did you call Stefani Petty?</p> <p>4 A. Right after John said, I've called</p> <p>5 her, and she hasn't called me back.</p> <p>6 Q. Did you talk to Stefani?</p> <p>7 A. It took a while. She's always hard</p> <p>8 to get on the phone, but eventually, yes, I did</p> <p>9 talk to Stefani.</p> <p>10 Q. Do you recall how long after you had</p> <p>11 spoken to John about calling her?</p> <p>12 A. I probably called her the same day.</p> <p>13 It may have been -- it may have taken me a day to</p> <p>14 get in touch with her.</p> <p>15 Q. But maybe a day, not weeks?</p> <p>16 A. No, no, no. It was right away, right</p> <p>17 away.</p> <p>18 Q. What did you and Stefani talk about?</p> <p>19 A. I just told her that Kat had some</p> <p>20 issues, and she wasn't coming in the office, and</p> <p>21 she needed to call her.</p> <p>22 Q. And you called her? You didn't</p> <p>23 e-mail her?</p>	<p>Page 68</p> <p>1 wouldn't it make sense to e-mail them?</p> <p>2 MS. BARLOTTA: Object to form.</p> <p>3 A. Maybe to you. I would keep calling</p> <p>4 them. We do our business on the phone.</p> <p>5 Q. Did you ever talk to Corey Daugherty</p> <p>6 about Kathryn Hendrix's complaints?</p> <p>7 A. No.</p> <p>8 Q. Why?</p> <p>9 MS. BARLOTTA: Object to form.</p> <p>10 A. Because she was going to talk to him</p> <p>11 about it, and I was waiting for that response.</p> <p>12 Q. And then when you found out she</p> <p>13 hadn't -- that she wasn't coming in, did you talk</p> <p>14 to Corey Daugherty at that point?</p> <p>15 A. I talked to John and Corey. And</p> <p>16 Corey told me he had an e-mail that gave her a</p> <p>17 whole bunch of agents. That's all he said about</p> <p>18 it.</p> <p>19 Q. We've been going right at an hour.</p> <p>20 Do you want to take a break?</p> <p>21 A. No. I'm fine.</p> <p>22 Q. You're good?</p> <p>23 I'm sorry. Who said that they had an</p>

<p style="text-align: right;">Page 69</p> <p>1 e-mail giving her a bunch of agents, John or 2 Corey? 3 A. Corey. 4 Q. Okay. When did you talk to Corey 5 about Kat? 6 A. You know, days after, days after she 7 had left. But it wasn't long after she left, 8 because once I talked to Stefani Petty, then I 9 was not supposed to get involved. They wanted a 10 -- one person getting involved in it. So after 11 that, I let her handle it. 12 Q. So when you talked to John and said, 13 She's not coming into work anymore, you need to 14 call and find out what's happening, is that the 15 same time you talked to Corey? Was that like a 16 joint conversation? 17 A. No, it wasn't -- no, it wasn't a 18 joint. 19 Q. When you talked to Stefani Petty, 20 when you called Stefani after you found out Kat 21 was not coming into work and you talked to her, 22 tell me everything you said to Stefani Petty. 23 A. I don't remember exactly what I said.</p>	<p style="text-align: right;">Page 71</p> <p>1 didn't know what this was. So I didn't want to 2 say something that I couldn't back up. 3 So I had -- I really had no idea. It 4 could have been related to this or it could have 5 been something else. So Stefani is a big girl. 6 She can figure out on her own. 7 Q. And when -- you talked to Corey 8 Daugherty before you talked to Ms. Petty, right? 9 A. You know what, I don't remember the 10 time sequence on that. 11 Q. Okay. When you talked to Corey 12 Daugherty, did you ask him if he knew what was 13 going on? 14 MS. BARLOTTA: Object to form. 15 A. No, I did not, but apparently he knew 16 something, because he said he had given her a 17 whole list of agents. 18 Q. Okay. And when Corey made that 19 statement about giving her agents, did that lead 20 you to believe that this was related to her 21 complaints she had made to you? 22 MS. BARLOTTA: Object to form. 23 A. No, but it led me to believe that</p>
<p style="text-align: right;">Page 70</p> <p>1 But what I said was Kathryn wasn't coming -- 2 Kathryn Hendrix works in the professional 3 department, and she's not coming in the office. 4 She's got some issues. Call her. 5 Q. Did you tell her about the lunch you 6 guys had or, I'm sorry, the breakfast? 7 A. No. 8 Q. Why not? 9 A. Because I -- I was still under the 10 impression that she had talked to Corey. And I 11 didn't know that these two were related, because 12 I didn't remember when we had our breakfast and 13 when she left. I didn't remember the time in 14 between that. 15 Q. Is it fair to say that it would be 16 pretty important for Ms. Petty to have a full 17 bank of knowledge going in to speaking with Ms. 18 Hendrix? 19 MS. BARLOTTA: Object to form. 20 A. You know, at that point, I didn't 21 know what her -- Kathryn's issues were, because 22 she had -- I had never heard from her, so I 23 assumed her and Corey worked everything out. I</p>	<p style="text-align: right;">Page 72</p> <p>1 Kathryn and Corey had talked. 2 Q. When you spoke to Corey, tell me 3 everything you can remember that you said to 4 Corey. 5 MS. BARLOTTA: And if you've already 6 said it, you can just say you've already 7 testified to what that is. 8 Q. You can answer. 9 A. I don't remember, to be honest. The 10 only thing that stuck out on me is he said he had 11 an e-mail that gave her a bunch of agents. 12 That's all I remember. 13 Q. Okay. Do you remember if you called 14 him into your office? 15 A. No, I did not call him into my 16 office. 17 Q. Did you go to his office? 18 A. I did not go to his office. 19 Q. So would this have maybe been just 20 like a casual meeting in the hall? 21 A. No. 22 MS. BARLOTTA: Object to form. 23 A. This was on the phone.</p>

<p>Page 73</p> <p>1 Q. So you would have called him? Would</p> <p>2 you have called from your cellphone?</p> <p>3 A. No. Probably my office phone.</p> <p>4 Q. The office phone? But you did not</p> <p>5 e-mail him?</p> <p>6 A. No.</p> <p>7 Q. Did you ask him for a copy of the</p> <p>8 e-mail?</p> <p>9 A. No.</p> <p>10 Q. Why not?</p> <p>11 MS. BARLOTTA: Object to form.</p> <p>12 A. Well, I had turned it over to -- it</p> <p>13 was getting turned over to Stefani Petty, and I</p> <p>14 didn't need to see that list or that e-mail.</p> <p>15 Q. When you talked to Stefani Petty to</p> <p>16 turn it over, you didn't tell her about the</p> <p>17 e-mail either, did you?</p> <p>18 MS. BARLOTTA: Object to form.</p> <p>19 A. No.</p> <p>20 Q. Do you know who was part of the</p> <p>21 communications that Kat was complaining about</p> <p>22 being excluded from?</p> <p>23 MS. BARLOTTA: Object to form. Asked</p>	<p>Page 75</p> <p>1 brokers in Birmingham, all brokers in -- all</p> <p>2 professional brokers in California. You know,</p> <p>3 you can do that any way you want to.</p> <p>4 Q. Right. But you wouldn't have to go</p> <p>5 in and like type everybody's name, right?</p> <p>6 There's a list that lists -- like if you go into</p> <p>7 some database, you can say all brokers</p> <p>8 Birmingham, and it would autopopulate who that</p> <p>9 goes to, right?</p> <p>10 MS. BARLOTTA: Object to form.</p> <p>11 A. Yes, but you actually -- I think we</p> <p>12 had somebody in IT that would set that up, too.</p> <p>13 If you went to them and said, Hey, I want a group</p> <p>14 of ten people, they would set that up and call it</p> <p>15 something so you could go in there and find it.</p> <p>16 And so it would stop you from having to do the</p> <p>17 ten people that you wanted on the e-mail all the</p> <p>18 time.</p> <p>19 Q. So as far as you know in your</p> <p>20 position as the owner or president, CEO,</p> <p>21 somewhere there's a database that has groups of</p> <p>22 people?</p> <p>23 MS. BARLOTTA: Object to form.</p>
<p>Page 74</p> <p>1 and answered.</p> <p>2 A. No.</p> <p>3 Q. Did you ask her?</p> <p>4 A. I assumed it was the brokers.</p> <p>5 Q. Why would you assume that?</p> <p>6 A. Well, because the brokers have their</p> <p>7 -- you know, the brokers have their</p> <p>8 communication, and I would have thought that</p> <p>9 would be the only one that would bother her if</p> <p>10 she wasn't included in what the brokers were</p> <p>11 saying.</p> <p>12 I don't think she would be concerned</p> <p>13 about what the technical assistants were saying,</p> <p>14 but I don't know that.</p> <p>15 Q. And you said something earlier about</p> <p>16 the broker communications and departments,</p> <p>17 divisions, I don't want to put words in your</p> <p>18 mouth, but are there e-mail groups that the</p> <p>19 company uses?</p> <p>20 MS. BARLOTTA: Object to form.</p> <p>21 A. Well, there's probably fifty</p> <p>22 different ways for them to do it. You can do all</p> <p>23 casualty brokers, all professional brokers, all</p>	<p>Page 76</p> <p>1 A. Yeah, there should be when you type</p> <p>2 in an e-mail, yeah. Just like any -- you would</p> <p>3 have in your -- on your computer.</p> <p>4 Q. And if we needed to get that list or</p> <p>5 a list like that, who would we speak to to get</p> <p>6 that?</p> <p>7 MS. BARLOTTA: Object to form.</p> <p>8 A. I don't know. Like I say, I've been</p> <p>9 gone over three years. Everything has changed</p> <p>10 since I left.</p> <p>11 Q. When you were there, would it have</p> <p>12 been just someone in the IT department?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. When you were a broker --</p> <p>15 okay. When you became the CEO, you're no longer</p> <p>16 a broker; is that right?</p> <p>17 A. I think I was a broker for -- it was</p> <p>18 either president or CEO. I was a broker when I</p> <p>19 was president. I think when I became CEO, I</p> <p>20 actually gave up my book. Somewhere in between</p> <p>21 there.</p> <p>22 I think even when I was a</p> <p>23 co-president, I still had the book for a while.</p>

<p>Page 77</p> <p>1 Q. Okay. I am going to show you what</p> <p>2 has been previously marked as Plaintiff's Exhibit</p> <p>3 2, and I know it's a little bit strange we're</p> <p>4 hopping all over the place in these numbers, but</p> <p>5 this has been used already.</p> <p>6 The Plaintiff's Exhibit 2, I'll</p> <p>7 represent to you, is like screenshots from CRC's</p> <p>8 computers. Does this look familiar at all to</p> <p>9 you?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. What -- can you tell me what</p> <p>12 you understand this to be?</p> <p>13 A. Well, it's a little hard to read, but</p> <p>14 it looks like it's the broker production, revenue</p> <p>15 production.</p> <p>16 Q. Okay. And this is something that's</p> <p>17 tracked companywide through CRC?</p> <p>18 MS. BARLOTTA: Object to form.</p> <p>19 A. Yeah. There's more than one office</p> <p>20 on here, yes.</p> <p>21 Q. Okay. And when you par down -- so</p> <p>22 the blue lines here have a number at the end of</p> <p>23 them. Is that like a year-to-date revenue?</p>	<p>Page 79</p> <p>1 A. You know, I would assume you could.</p> <p>2 Q. Okay. Is that something that you had</p> <p>3 access to as the CEO?</p> <p>4 MS. BARLOTTA: Object to form.</p> <p>5 A. Oh, yeah. If you could do it, I</p> <p>6 should have had access to it. Maybe even if I</p> <p>7 didn't know how to do it, somebody could have</p> <p>8 showed me how to do it.</p> <p>9 Q. Do you recall ever going in and</p> <p>10 looking at these numbers or looking at this</p> <p>11 dashboard?</p> <p>12 A. I'm constantly looking at team</p> <p>13 revenue numbers.</p> <p>14 Q. Okay. And when we're talking about</p> <p>15 specifically Birmingham, can you do the same type</p> <p>16 of report for just the Birmingham office?</p> <p>17 A. Yes.</p> <p>18 MS. BARLOTTA: Object to form.</p> <p>19 Q. And can you do the same type of</p> <p>20 report for particular departments in the</p> <p>21 Birmingham office?</p> <p>22 MS. BARLOTTA: Object to form.</p> <p>23 A. Like casualty, property,</p>
<p>Page 78</p> <p>1 MS. BARLOTTA: Object to form.</p> <p>2 A. You know, I can't -- I can't see the</p> <p>3 numbers. I'm assuming it could be revenue. It</p> <p>4 could be premium.</p> <p>5 Q. Okay. Flip to Page 2 for me, please,</p> <p>6 sir. You see at the top there, it's got some</p> <p>7 kind of bubbles filled in, and revenue and</p> <p>8 year-to-date are filled in, right?</p> <p>9 MS. BARLOTTA: Object to form.</p> <p>10 A. Yes.</p> <p>11 Q. Okay. So if you clicked those</p> <p>12 bubbles, would what populates underneath it be</p> <p>13 the revenue?</p> <p>14 MS. BARLOTTA: Object to form. If</p> <p>15 you know.</p> <p>16 A. Well, the revenue would have been --</p> <p>17 would have popped -- oh, this is -- was this</p> <p>18 premium? No, this is revenue. So revenue should</p> <p>19 be sticking out on the side.</p> <p>20 Q. Okay. And that's because you can</p> <p>21 narrow that search based on those bubbles on the</p> <p>22 top?</p> <p>23 MS. BARLOTTA: Object to form.</p>	<p>Page 80</p> <p>1 professional?</p> <p>2 Q. Right.</p> <p>3 A. Yes.</p> <p>4 Q. So if I just wanted to look at</p> <p>5 professional liability, could I get this same</p> <p>6 type of report for professional liability?</p> <p>7 A. You could when I worked there.</p> <p>8 Q. Okay. Are these -- and I'm not</p> <p>9 saying these are the correct numbers. I'm just</p> <p>10 wondering if these are the revenue numbers, are</p> <p>11 these the type of numbers that would go into --</p> <p>12 are these the numbers that would go into the</p> <p>13 bonus calculations?</p> <p>14 MS. BARLOTTA: Object to form.</p> <p>15 A. If those are the correct numbers,</p> <p>16 yes.</p> <p>17 Q. Okay. And when I say bonus</p> <p>18 calculations, do you agree with me that there is</p> <p>19 a bonus formula that CRC uses?</p> <p>20 MS. BARLOTTA: Object to form.</p> <p>21 A. Oh, yes.</p> <p>22 Q. And that formula revolves around the</p> <p>23 revenue that a broker brings in, right?</p>

<p style="text-align: right;">Page 81</p> <p>1 MS. BARLOTTA: Object to form.</p> <p>2 A. Correct.</p> <p>3 Q. So what is your understanding of how</p> <p>4 that bonus structure works?</p> <p>5 MS. BARLOTTA: Object to form. For</p> <p>6 the time period of when he was president?</p> <p>7 MS. PALMER: Yes.</p> <p>8 Q. (BY MS. PALMER:) When you were the</p> <p>9 -- let's talk about when you were the CEO.</p> <p>10 MS. BARLOTTA: Or president?</p> <p>11 Q. Let's just say 2017 forward.</p> <p>12 A. Okay.</p> <p>13 Q. So from that time period, what was</p> <p>14 your understanding as to how the bonus</p> <p>15 calculations worked?</p> <p>16 MS. BARLOTTA: For every department?</p> <p>17 MS. PALMER: Generally, yes.</p> <p>18 A. The brokers had a formula. It</p> <p>19 started with twenty-five percent, and then it --</p> <p>20 and it went up to forty percent.</p> <p>21 Q. (BY MS. PALMER:) Okay. How -- what</p> <p>22 is -- I've lost it again. The twenty-five</p> <p>23 percent, where does that number come from?</p>	<p style="text-align: right;">Page 83</p> <p>1 revenue number. And a broker can get a bonus</p> <p>2 anywhere from twenty-five percent to thirty-seven</p> <p>3 and a half percent unless it's four million or</p> <p>4 more, and then on the amount over four million,</p> <p>5 they could get up to forty?</p> <p>6 A. Yes. But -- okay. But the bonus --</p> <p>7 when we say bonus, it takes into consideration</p> <p>8 your salary. So, I mean, if you -- if your</p> <p>9 salary was a hundred thousand and your bonus was</p> <p>10 a hundred and ten, you would only get ten.</p> <p>11 Do you see what I'm saying? It took</p> <p>12 into consideration your salary.</p> <p>13 Q. So it takes into consideration the</p> <p>14 broker's salary?</p> <p>15 A. The broker's salary.</p> <p>16 Q. What about the other employees on the</p> <p>17 broker's team? Who pays their salary?</p> <p>18 A. The brokers -- no, not their salary.</p> <p>19 The company pays the salary. The broker pays the</p> <p>20 bonus.</p> <p>21 Q. So the broker pays their own salary,</p> <p>22 but CRC pays everybody else's salary?</p> <p>23 MS. BARLOTTA: Object to form.</p>
<p style="text-align: right;">Page 82</p> <p>1 A. That's just been the number. I think</p> <p>2 it's passed down from brokers to brokers. That's</p> <p>3 just always been the number.</p> <p>4 Q. Okay. So twenty-five to forty</p> <p>5 percent. What -- twenty-five to forty percent of</p> <p>6 what?</p> <p>7 A. Your revenue.</p> <p>8 Q. Tell me like I'm a Golden Retriever</p> <p>9 as one of my favorite lawyers says.</p> <p>10 A. Okay. Twenty-five -- okay. And let</p> <p>11 me make this clear. Forty percent -- you get</p> <p>12 paid on your full revenue up to thirty-seven and</p> <p>13 a half percent. The forty percent, you only got</p> <p>14 that part of anything above four million.</p> <p>15 So if you wrote three million nine</p> <p>16 hundred and ninety-nine, you would get</p> <p>17 thirty-seven and a half percent of the whole</p> <p>18 thing. But if you wrote over four million, the</p> <p>19 part over four million, you would only get --</p> <p>20 that would be the only part that you would add</p> <p>21 the forty percent to.</p> <p>22 Does that make sense to you?</p> <p>23 Q. Yes. So you're looking at the</p>	<p style="text-align: right;">Page 84</p> <p>1 A. In most of the cases.</p> <p>2 MS. BARLOTTA: Object to the form.</p> <p>3 Q. Okay. How do you determine or how</p> <p>4 does -- in your experience, how would a broker</p> <p>5 determine -- how would a broker know if their</p> <p>6 bonus was twenty-five, thirty, thirty-five?</p> <p>7 A. Because they have a sheet. They</p> <p>8 know.</p> <p>9 Q. What does the sheet look like?</p> <p>10 A. The sheet tells them twenty-five</p> <p>11 percent up to maybe -- and I'm guessing here,</p> <p>12 because I haven't seen those in a while.</p> <p>13 Twenty-five percent up to a certain, maybe half a</p> <p>14 million, and then twenty-five, and then</p> <p>15 twenty-seven and a half and thirty, thirty-five,</p> <p>16 you know, depending -- there's revenue bands in</p> <p>17 there, and if you're in that band, then you get</p> <p>18 that percentage.</p> <p>19 Q. Okay. So like a -- it's sort of like</p> <p>20 a chart?</p> <p>21 A. Yes.</p> <p>22 Q. Okay. And that's set companywide?</p> <p>23 A. There were a few exceptions, but</p>

<p>Page 85</p> <p>1 ninety-nine percent of the brokers had that.</p> <p>2 Q. Do you know where that chart or scale</p> <p>3 was maintained?</p> <p>4 MS. BARLOTTA: Object to form.</p> <p>5 A. I'm -- you know, I think a lot of</p> <p>6 people had a copy of that.</p> <p>7 Q. Okay. Just a paper copy?</p> <p>8 A. Yes.</p> <p>9 Q. Do you recall ever having to go into</p> <p>10 the computer and get a copy of that?</p> <p>11 MS. BARLOTTA: Object to form.</p> <p>12 A. I couldn't find it on the computer.</p> <p>13 Q. Okay. I can't find things on my</p> <p>14 computer half the time, so -- okay.</p> <p>15 So the main bonus number that goes to</p> <p>16 the broker is based on revenues off of that chart</p> <p>17 for certain amounts?</p> <p>18 A. Minus their salary.</p> <p>19 Q. What happens from there?</p> <p>20 A. Okay. Now, I'm not sure what you're</p> <p>21 asking me.</p> <p>22 Q. Okay. So CRC pays bonuses to team</p> <p>23 members, right, in addition to their salary?</p>	<p>Page 87</p> <p>1 brokers that, I'll give you a percentage of</p> <p>2 everything you bring in, which gives them the</p> <p>3 incentive to go out and do it, so, and that</p> <p>4 percentage generally is around twenty-five</p> <p>5 percent.</p> <p>6 Q. So most of the time in your</p> <p>7 experience, a broker would get a percentage of</p> <p>8 the revenue they brought in?</p> <p>9 MS. BARLOTTA: Object to form.</p> <p>10 Q. If they were responsible for the</p> <p>11 account?</p> <p>12 A. The associate broker. Is that what</p> <p>13 you're saying?</p> <p>14 Q. I'm just saying broker. So where I'm</p> <p>15 getting confused is it seems like there's -- on</p> <p>16 these teams, there's not a real clear delineation</p> <p>17 between the roles. So would you --</p> <p>18 MS. BARLOTTA: Object.</p> <p>19 A. Well, there's a big delineation. If</p> <p>20 you're bringing in revenue and binders, that's a</p> <p>21 big difference than just pushing paper.</p> <p>22 Q. And is it your understanding that an</p> <p>23 inside broker could bring in revenue and binders?</p>
<p>Page 86</p> <p>1 A. Yes.</p> <p>2 Q. Okay. So how is it determined what a</p> <p>3 team member's bonus would be?</p> <p>4 A. Okay. So the company gave you, and I</p> <p>5 think the number was two and a half percent of</p> <p>6 your revenue. So whatever your revenue is, they</p> <p>7 multiply that times two and a half percent, and</p> <p>8 that would be for team members.</p> <p>9 But that was never enough. So</p> <p>10 brokers had to pay the people out of their -- out</p> <p>11 of his -- out of his bonus pool, he had -- in</p> <p>12 ninety percent of the cases, that's how it</p> <p>13 worked.</p> <p>14 Q. Was there -- what is the formula for</p> <p>15 determining what a team member gets out of the</p> <p>16 bonus pool?</p> <p>17 MS. BARLOTTA: Object to form.</p> <p>18 A. Well, there's no formula for that. I</p> <p>19 mean, the -- if you're an associate broker and</p> <p>20 you brought in X amount of premium, say you went</p> <p>21 out and you got agents, they sent you business,</p> <p>22 and you bound it, then you would get a -- then</p> <p>23 most of the guys cut deals with their associate</p>	<p>Page 88</p> <p>1 MS. BARLOTTA: Object to form.</p> <p>2 A. It depends on -- yeah, some do, and</p> <p>3 some don't.</p> <p>4 Q. And could an account executive bring</p> <p>5 in --</p> <p>6 A. No.</p> <p>7 Q. So if an inside broker is bringing in</p> <p>8 revenue, would the same deal apply to them?</p> <p>9 A. Each broker set their own deal. So</p> <p>10 that depends on the broker and the inside -- or</p> <p>11 the broker will cut those deals with -- the</p> <p>12 company gave them two and a half percent to give</p> <p>13 to the thing, and anything over that would be a</p> <p>14 deal between the lead broker, the associate</p> <p>15 broker, inside broker, the underwriting</p> <p>16 assistant, all the team members, in addition to</p> <p>17 the two and a half percent.</p> <p>18 Q. Who monitors those payments?</p> <p>19 A. Those --</p> <p>20 MS. BARLOTTA: Object to form.</p> <p>21 A. They don't get monitored unless</p> <p>22 there's a complaint, and in my mind, there's very</p> <p>23 few complaints.</p>

<p>Page 89</p> <p>1 Q. Okay. And if there was a complaint, 2 who would monitor it?</p> <p>3 MS. BARLOTTA: Object to form.</p> <p>4 A. Well, it's really -- if it was 5 caught, it would be our accounting people. Our 6 accounting people would occasionally call us and 7 say, We just got the bonus calculations, and 8 something doesn't look right.</p> <p>9 And so a lot of times she would call 10 the -- either the president of that office or the 11 broker and say, Man, this doesn't look right. 12 Are you sure this is what you want to do or am I 13 missing something here or --</p> <p>14 Q. Are you familiar with the audits that 15 CRC would go through?</p> <p>16 MS. BARLOTTA: Object to form.</p> <p>17 A. Boy, we went through a lot of audits. 18 I don't know which ones you're talking about.</p> <p>19 Q. CRC had an internal audit department, 20 right?</p> <p>21 A. Yes.</p> <p>22 Q. And the role of that department would 23 be to go around and audit certain areas of the</p>	<p>Page 91</p> <p>1 A. No set factors.</p> <p>2 Q. Okay. Is it fair to say that that 3 could open the door for a whole lot of sway back 4 and forth?</p> <p>5 MS. BARLOTTA: Object to form.</p> <p>6 A. I didn't see a -- I don't know what 7 you mean by sway back and forth.</p> <p>8 Q. Did -- were bonus numbers talked 9 about regularly?</p> <p>10 A. No. The company did not encourage 11 people to talk about bonus numbers. Your 12 compensation is supposed to be private, like it 13 is with everything. Nobody really talks about 14 their compensation, and that's the way they felt 15 about it.</p> <p>16 Q. Why?</p> <p>17 A. They just didn't want them talking 18 about it. I don't know the rule. I mean, it's 19 your business what you make. It's not anybody 20 else's business.</p> <p>21 Q. Right. So can you see why if there's 22 not a set structure and nobody talks about it, 23 there's not really anybody checking to make sure</p>
<p>Page 90</p> <p>1 company for checks and balances, right?</p> <p>2 MS. BARLOTTA: Object to form.</p> <p>3 A. Yes.</p> <p>4 Q. All right. Did audit ever audit 5 payroll?</p> <p>6 A. Now, that, I don't know.</p> <p>7 Q. Did they ever audit these bonuses?</p> <p>8 A. No. I would say they didn't do that.</p> <p>9 Q. Do you know why?</p> <p>10 MS. BARLOTTA: Object to form.</p> <p>11 A. Well, I just think that that was 12 proprietary information that they didn't -- 13 probably wouldn't want the audit team to see. 14 That would be like giving everybody's personal 15 information out.</p> <p>16 Q. And as far as you're aware, this is 17 an unwritten rule as far as paying your teams, 18 right?</p> <p>19 MS. BARLOTTA: Object to form.</p> <p>20 A. Yes.</p> <p>21 Q. And there's no set structure?</p> <p>22 A. No set structure.</p> <p>23 Q. No set factors that you look at?</p>	<p>Page 92</p> <p>1 discrimination is not happening?</p> <p>2 MS. BARLOTTA: Object to form.</p> <p>3 Argumentative.</p> <p>4 A. I mean, I don't know how 5 discrimination could happen in that. I mean, 6 it's a -- I mean, the company gave you -- the 7 company gave them two and a half percent. So 8 they could give that to the people.</p> <p>9 I mean, it -- we just never had any 10 complaints about discrimination in bonus 11 calculations.</p> <p>12 Q. But is it --</p> <p>13 A. The broker -- okay. But before the 14 broker turned in the sheet, he sat down with 15 everybody on his team generally and said, Here's 16 what -- you know, here's what I'm thinking about 17 for you or, you know -- and they have a 18 conversation about it. And if there was any 19 problems, seems like to me they would come out 20 there, Hey, you're not -- sure, everybody 21 thought, you're not paying me enough. I mean, 22 enough is never enough, but --</p> <p>23 Q. So it's your understanding that they</p>

<p>Page 93</p> <p>1 would address this with the individual team</p> <p>2 members?</p> <p>3 A. Oh, yeah.</p> <p>4 Q. Okay. Can you -- would you agree</p> <p>5 with me that it would be really hard to know if</p> <p>6 you were being discriminated against if you</p> <p>7 didn't know what other people were getting?</p> <p>8 MS. BARLOTTA: Object to form.</p> <p>9 Speculative and calls for opinion.</p> <p>10 A. Well, every team is different and</p> <p>11 every -- if you have ten people, you've got less</p> <p>12 bonus to go around. And some teams were really</p> <p>13 lean. There were a lot of business with three or</p> <p>14 four other people, and some people had eight or</p> <p>15 ten people on their team.</p> <p>16 So even if you worked as hard as this</p> <p>17 person, if you had more team members, there</p> <p>18 wasn't as much to go around. So there's a lot of</p> <p>19 different factors involved in that.</p> <p>20 You can't -- I mean, here's the pot,</p> <p>21 I mean, and it's plus the two and a half percent.</p> <p>22 It has to go somewhere. I mean, there's no other</p> <p>23 place to get money from.</p>	<p>Page 95</p> <p>1 it or identify it.</p> <p>2 Q. (BY MS. PALMER:) Have you seen a</p> <p>3 document like this before?</p> <p>4 A. No.</p> <p>5 Q. Do you -- when you were the CEO of --</p> <p>6 MS. BARLOTTA: We object about asking</p> <p>7 any questions about a document that's just been</p> <p>8 produced and about which he doesn't know since</p> <p>9 you just pulled it off the website, and he hasn't</p> <p>10 worked for the company in four years.</p> <p>11 MS. PALMER: I'm laying a foundation,</p> <p>12 and we agreed to usual stipulations. So your</p> <p>13 objection should be to the form.</p> <p>14 MS. BARLOTTA: No, I can tell you</p> <p>15 what's wrong with your question so you can fix</p> <p>16 it. That's the purpose.</p> <p>17 Q. (BY MS. PALMER:) So when you were</p> <p>18 the CEO of Truist, let's -- or of CRC, let's</p> <p>19 focus again on 2017 to your retirement, did you</p> <p>20 have any occasion to go to the website?</p> <p>21 A. No.</p> <p>22 Q. Okay. Did you ever --</p> <p>23 MS. BARLOTTA: This says it comes</p>
<p>Page 94</p> <p>1 Q. Right. But there's not a set scoring</p> <p>2 or anything related to the factors?</p> <p>3 MS. BARLOTTA: Object to form.</p> <p>4 A. No. The -- they had salary ranges,</p> <p>5 but they didn't -- when it came to the bonus, it</p> <p>6 was all discretionary.</p> <p>7 Q. Okay. I'm going to show you what I'm</p> <p>8 going to mark as -- you know what, I didn't put</p> <p>9 the sticker on it -- Plaintiff's Exhibit 22.</p> <p>10 (Whereupon, Plaintiff's Exhibit No.</p> <p>11 22 was marked for identification and a copy of</p> <p>12 same is attached hereto.)</p> <p>13 Q. And Plaintiff's Exhibit 22 I pulled</p> <p>14 off of the Truist website. Have you ever seen a</p> <p>15 document like this before?</p> <p>16 A. No.</p> <p>17 MS. BARLOTTA: This is something you</p> <p>18 haven't produced yet? It's not Bates or</p> <p>19 anything.</p> <p>20 MS. PALMER: Right, it's on the</p> <p>21 Truist website. I got it yesterday.</p> <p>22 MS. BARLOTTA: Well, if you're going</p> <p>23 to rely on it, you're still supposed to produce</p>	<p>Page 96</p> <p>1 from the Department of Labor website, not Truist.</p> <p>2 www.DOL.gov.</p> <p>3 Q. Did you ever receive forms --</p> <p>4 MS. BARLOTTA: No, no, no, let's get</p> <p>5 that clear on the record. You just represented</p> <p>6 to the witness --</p> <p>7 MS. WILKINSON: Rachel, let her ask</p> <p>8 her questions.</p> <p>9 MS. PALMER: Let me handle this.</p> <p>10 MS. BARLOTTA: No. She just</p> <p>11 represented to the witness that this came from</p> <p>12 Truist's website, so she needs to correct that on</p> <p>13 the record.</p> <p>14 MS. PALMER: Except it's not a lie,</p> <p>15 so we'll handle this.</p> <p>16</p> <p>17 Q. (BY MS. PALMER:) I'll pull up for you</p> <p>18 here, Mr. Helveston, the CRC website where I got</p> <p>19 that document.</p> <p>20 MS. BARLOTTA: If you had just</p> <p>21 produced it in advance of the deposition like</p> <p>22 you're supposed to --</p> <p>23 A. You got this from the CRC website?</p>

<p>Page 97</p> <p>1 MS. BARLOTTA: -- we probably 2 wouldn't have any problems. 3 Q. (BY MS. PALMER:) I'm sorry? 4 A. The CRC website? 5 Q. Yes, sir, the CRC website. So -- 6 MS. BARLOTTA: This applies to 7 government contractors. I mean, I don't -- is 8 there any allegation in this case that Kathryn 9 Hendrix worked as a government contractor? 10 MS. PALMER: I'm just asking if he 11 has familiarity with this form. 12 MS. WILKINSON: Rachel, do not 13 highjack -- 14 MS. BARLOTTA: No -- 15 MS. WILKINSON: Let me finish. Don't 16 interrupt. Don't interrupt. 17 MS. BARLOTTA: You just interpreted 18 me, Cynthia. 19 MS. WILKINSON: I did not. 20 MS. BARLOTTA: I was not done with 21 what I was saying, but go ahead. 22 MS. WILKINSON: Do not highjack this 23 deposition.</p>	<p>Page 99</p> <p>1 also record Rachel in the deposition as well as 2 the witness? Can we? 3 VIDEOGRAPHER: She's being recorded. 4 MS. WILKINSON: To video record her. 5 That's okay. Don't worry about it. We'll set it 6 up for all the rest of them that way. 7 VIDEOGRAPHER: We can if you'd like. 8 MS. WILKINSON: We are not upset that 9 you have called us out on anything. Leslie is at 10 this point pulling up the CRC website to show 11 that that is where she got it. I don't know why 12 this is all of a sudden such a big deal. 13 MS. BARLOTTA: Cynthia, it would be a 14 very big deal if I pulled out a document in a 15 witness' deposition, particularly your client's, 16 that she had never seen and started asking her 17 questions about it. You would be stopping the 18 deposition and saying, We're going to go look at 19 this, we're going to talk about it, you're not 20 going to ask my witness questions about it. 21 I'm not doing anything that is 22 improper or inappropriate. I'm happy for you to 23 take this up with the judge. She would say the</p>
<p>Page 98</p> <p>1 And, Mr. Helveston, I'm so sorry. 2 We're trying not to waste your time. 3 MS. BARLOTTA: No, no, no, no. You 4 are not going to suck up to my witness. 5 MS. WILKINSON: And I believe the 6 question on the table is just simply have you 7 ever seen this. And if you have not, the answer 8 is no, and that's perfectly okay. My 9 understanding, this was also posted in the break 10 room in a common area, though, at work. 11 MS. BARLOTTA: I have a couple of 12 problems with what's going on here with the 13 plaintiff counsels' antics today. Number one, 14 they're producing a document in the middle of a 15 deposition representing to the witness that it is 16 from the CRC website. It doesn't appear to be on 17 the face of it. 18 I've asked them to clarify where this 19 came from. They have gotten upset with me for 20 asking them to clarify what this document is, 21 which they haven't produced about which they want 22 to question my witness. 23 MS. WILKINSON: Do we have a way to</p>	<p>Page 100</p> <p>1 same thing. 2 MS. WILKINSON: Rachel, she's not 3 asked this witness one question about this 4 document. 5 MS. BARLOTTA: She was trying to 6 until I -- 7 MS. WILKINSON: Please don't 8 interrupt me. Do not interrupt me again. You 9 have a habit in every deposition I have ever been 10 in with you, even in court, of interrupting 11 people, and we're not going to do that today or 12 in any other deposition in this case. 13 MS. BARLOTTA: Let me -- 14 MS. WILKINSON: Hang on. Let me 15 finish. 16 MS. BARLOTTA: Let know when you're 17 finished, and then I will, because I thought you 18 were. 19 MS. WILKINSON: We're going to 20 respect each other, and you knew I wasn't 21 finished, because I was in mid word. The only 22 thing that has been said is if he's seen it. If 23 he hasn't seen it, that's -- period, that's it.</p>

<p>Page 101</p> <p>1 I mean, there's no reason to get this upset about</p> <p>2 this and waste his time in this deposition.</p> <p>3 MS. BARLOTTA: If you would -- the</p> <p>4 only people who are wasting time -- oh, I'm</p> <p>5 sorry. Are you done?</p> <p>6 MS. WILKINSON: Go ahead.</p> <p>7 MS. BARLOTTA: Okay. We wouldn't be</p> <p>8 wasting time if you had produced this like in</p> <p>9 advance of the deposition like you are supposed</p> <p>10 to do. And the fact that you didn't do it timely</p> <p>11 and you're upset now and you're going to tell me</p> <p>12 that I am wasting time is a little bit of</p> <p>13 gaslighting, and I think you know that, Cynthia.</p> <p>14 MS. WILKINSON: It's not gaslighting.</p> <p>15 And if she just discovered this today, then it's</p> <p>16 perfectly okay to ask a witness, and we can</p> <p>17 produce it. It happens frequently --</p> <p>18 MS. BARLOTTA: No --</p> <p>19 MS. WILKINSON: -- in fact, you've</p> <p>20 done it. I'll go back and pull all the</p> <p>21 depositions that you've done it.</p> <p>22 MS. BARLOTTA: The proper thing to do</p> <p>23 is to say, Hey, before the deposition, we just</p>	<p>Page 103</p> <p>1 that job posting a link that appears to link out</p> <p>2 to a document? Let me point you right here to</p> <p>3 this hyperlink (indicating) --</p> <p>4 MS. BARLOTTA: Would you verify?</p> <p>5 Q. -- while it's scrolling by.</p> <p>6 MS. PALMER: No. Does it not say Pay</p> <p>7 Transparency -- excuse my --</p> <p>8 MS. BARLOTTA: This takes us to the</p> <p>9 Department of Labor website, correct?</p> <p>10 MS. PALMER: It does, correct.</p> <p>11 MS. BARLOTTA: Thank you.</p> <p>12 Q. (BY MS. PALMER:) Do you agree with</p> <p>13 me that the link of the document was on the CRC</p> <p>14 website?</p> <p>15 A. It appears to be.</p> <p>16 Q. And that's related to a job posting</p> <p>17 for CRC?</p> <p>18 A. Yes.</p> <p>19 Q. And then the link that Ms. Barlotta</p> <p>20 clicked, does that take you to a screen that</p> <p>21 appears to be the document that I've handed you</p> <p>22 in Plaintiff's Exhibit 22?</p> <p>23 A. Yes.</p>
<p>Page 102</p> <p>1 found this document. We want to ask the witness</p> <p>2 about it. Do you have any objections to that?</p> <p>3 Do you want to talk with them about it</p> <p>4 beforehand?</p> <p>5 MS. WILKINSON: Go ahead, Leslie, and</p> <p>6 show him.</p> <p>7 Q. (BY MS. PALMER:) Mr. Helveston, I am</p> <p>8 placing in front of you my laptop, and it is open</p> <p>9 to a website. Do you see that?</p> <p>10 A. I do.</p> <p>11 Q. And what is the address of that</p> <p>12 website?</p> <p>13 A. It looks like a CRC address.</p> <p>14 Q. And does that website appear to you</p> <p>15 to be a job listing for CRC?</p> <p>16 MS. BARLOTTA: Object to form.</p> <p>17 A. Yes.</p> <p>18 Q. Okay. I'm going to scroll for you,</p> <p>19 because this one is a little bit tricky. I'm</p> <p>20 just going to take this off so I can see, too.</p> <p>21 Well, Rachel is going to scroll for</p> <p>22 you.</p> <p>23 And do you see there on the bottom of</p>	<p>Page 104</p> <p>1 Q. Thank you. And Plaintiff's Exhibit</p> <p>2 22 is called a Pay Transparency Notice. Do you</p> <p>3 agree with me about that?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. Have you ever seen a pay</p> <p>6 transparency notice?</p> <p>7 A. No.</p> <p>8 Q. Do you frequent the break rooms at</p> <p>9 CRC -- or I'm sorry. When you were at CRC, did</p> <p>10 you go to the break rooms?</p> <p>11 A. Of course.</p> <p>12 Q. Okay. And, you know, in the break</p> <p>13 rooms, were there notices hanging up like from</p> <p>14 the Department of Labor, from the EEOC?</p> <p>15 A. Yes.</p> <p>16 Q. Did you ever look at those?</p> <p>17 A. Sometimes.</p> <p>18 Q. Do you recall seeing a pay</p> <p>19 transparency notice there?</p> <p>20 A. I do not.</p> <p>21 Q. Do you understand why it would be</p> <p>22 important to have transparency in pay?</p> <p>23 MS. BARLOTTA: Object to form.</p>

<p style="text-align: right;">Page 105</p> <p>1 A. Well, we need to clarify something, 2 okay? So the pay, everybody knew what the ranges 3 -- there were ranges on the pay, but the bonuses 4 are nondiscretionary, and so that's different. 5 If the team didn't write anything, 6 you wouldn't get any bonus. And so that -- I can 7 see where this is talking about your pay, but not 8 your bonus. 9 Q. Okay. 10 A. A bonus is above and beyond your pay, 11 depending on what kind of year you had. And it 12 was discretionary, and it was at the will -- CRC 13 could have not paid you any bonus except to 14 fulfill the contracts that they have written with 15 the people. 16 Q. Okay. 17 A. So this -- to me, this -- you know, 18 they tried to keep everybody in certain pay 19 scales. If you were a broker assistant, they had 20 pay ranges and all that kind of stuff. 21 But bonus was completely different. 22 That was -- they've always said in everything 23 that that was discretionary and not guaranteed.</p>	<p style="text-align: right;">Page 107</p> <p>1 the term "worksheet" is a little loose. 2 Q. Yeah. Let me show you this, and I'm 3 not going to mark it as an exhibit, but I'll -- 4 MS. WILKINSON: I would go ahead and 5 mark it if you show it to him. 6 MS. PALMER: Okay. We may have used 7 it before, but I'll just mark it as a new one. 8 It's 4995 through 4998. It's the bonus numbers. 9 MS. WILKINSON: I don't see it. Go 10 ahead and mark it again. 11 MS. PALMER: I'm going to mark this 12 as Plaintiff's Exhibit 23. 13 (Whereupon, Plaintiff's Exhibit No. 14 23 was marked for identification and a copy of 15 same is attached hereto.) 16 Q. (BY MS. PALMER:) And I'm going to go 17 ahead and apologize to you about the type on 18 this. This is how it came to me. 19 A. That's okay. That's okay. 20 Q. And I have a hard time reading it as 21 well. So Plaintiff's Exhibit 23 is Bates 22 labeled -- and when I say Bates label, I'm 23 talking about the number there on the bottom</p>
<p style="text-align: right;">Page 106</p> <p>1 Q. Okay. Did -- are you familiar with 2 what the pay scales would be for each position? 3 MS. BARLOTTA: Object to form. 4 A. No. 5 Q. Would it surprise you to learn that 6 some employees were paid significantly less 7 salary? 8 MS. BARLOTTA: Object to form. 9 A. Yeah, that would surprise me. 10 Q. Was there a general culture at CRC 11 about just not talking about the money? 12 MS. BARLOTTA: Object to form. 13 A. I didn't -- I don't think people 14 talked about it. I don't know if there was a 15 culture for that. 16 Q. Did the brokers talk about their 17 revenues? 18 A. Oh, yeah. They bragged about their 19 revenue. 20 Q. Okay. The -- are you familiar with 21 the bonus worksheet that would fill out -- that 22 they would fill out? 23 A. You mean -- okay. So I'm a little --</p>	<p style="text-align: right;">Page 108</p> <p>1 right, and it's CRC-Hendrix 4995 through 4998. 2 Do you see those numbers? 3 A. I'm -- oh, at the very bottom? 4 Q. Yeah, the very bottom. 5 A. I do see that number now. 6 Q. Okay. So Page 2 of that, if you'll 7 flip for me, which is the 4996, it's the tiniest 8 little chart, but it appears to be like 9 calculations of the bonus pool for twelve months 10 ending December 31st, 2018 for Daugherty. Can 11 you see that at all? 12 A. You know what, I need a magnifying 13 glass. Even with my glasses, I can't see that. 14 Q. I understand that. I understand 15 that. Just this general like structure here with 16 this kind of Excel spreadsheet with the columns, 17 does that look familiar at all to you? 18 A. The first page looks familiar, but 19 the second -- I mean, I'm sorry. I just -- I 20 can't. 21 Q. Yeah, it's tiny. And I tried to 22 print it and blow it up, and I couldn't, because 23 of the way it was sent to us.</p>

<p>Page 109</p> <p>1 So the first sheet, you said that</p> <p>2 looks familiar. Why does that look familiar to</p> <p>3 you?</p> <p>4 MS. BARLOTTA: Object to form.</p> <p>5 A. Because -- let me look at it real</p> <p>6 quick. This is the kind of sheets that would --</p> <p>7 the broker would turn in. The brokers would turn</p> <p>8 them in to the office president, and the office</p> <p>9 president would compile a big list and turn them</p> <p>10 in to the accounting. And they did that twice a</p> <p>11 year when bonus was calculated.</p> <p>12 Q. Why would the president turn the</p> <p>13 sheets into accounting?</p> <p>14 A. Well, the president of each office is</p> <p>15 required to collect these. That's part of his</p> <p>16 job to make sure that they get all the bonus</p> <p>17 sheets in. My job was to make sure that</p> <p>18 everybody got their bonus sheets in. Now, I</p> <p>19 didn't see them.</p> <p>20 Q. Okay.</p> <p>21 A. I didn't go every one of them. I</p> <p>22 didn't see them, but I had the -- I needed to</p> <p>23 make sure, because we were under a time</p>	<p>Page 111</p> <p>1 A. You know, I never saw a zero, but</p> <p>2 there may have been a case where somebody went to</p> <p>3 the broker and said, Man, if you'll give me more</p> <p>4 in January -- you know, there's two bonus times,</p> <p>5 and somebody may go to them and say, Man, I need</p> <p>6 more in January, and I won't get any bonus in</p> <p>7 whenever -- the other time. We pay them twice a</p> <p>8 year. I mean, that could have happened.</p> <p>9 Q. Yeah.</p> <p>10 A. But it would be very unlikely that</p> <p>11 there would be a zero unless there was some</p> <p>12 circumstances. Because, like I said, if nothing</p> <p>13 else, you would get -- the twelve and a half</p> <p>14 percent would be spread out. And that was spread</p> <p>15 out by, you know, the office president and them</p> <p>16 just to make sure that everybody got something.</p> <p>17 Q. Okay. Would there be any reason for</p> <p>18 the office president to review this form?</p> <p>19 MS. BARLOTTA: Object to form.</p> <p>20 A. The office president?</p> <p>21 Q. Yeah, because they all go to the</p> <p>22 president.</p> <p>23 A. Well, I mean, you know, some of them</p>
<p>Page 110</p> <p>1 constraint to make sure that everybody got paid.</p> <p>2 And if these sheets weren't in, they wouldn't be</p> <p>3 able to pay the bonuses on time.</p> <p>4 So if we weren't getting them, the</p> <p>5 accounting people were calling John Cadden or</p> <p>6 whoever the office was and said, You better get</p> <p>7 these bonus numbers in if you want your people to</p> <p>8 get a bonus.</p> <p>9 Q. Okay.</p> <p>10 A. So that's why. And John was</p> <p>11 responsible for Birmingham to collect all those</p> <p>12 from everybody, every broker in the Birmingham</p> <p>13 office.</p> <p>14 Q. But the bonuses are discretionary,</p> <p>15 right?</p> <p>16 A. Yes.</p> <p>17 Q. So was there ever an instance where</p> <p>18 they would not turn a form in?</p> <p>19 MS. BARLOTTA: Object to form.</p> <p>20 A. Not -- if they didn't turn a form in,</p> <p>21 they didn't get a bonus.</p> <p>22 Q. Would they ever put zeros on the</p> <p>23 bonus number column?</p>	<p>Page 112</p> <p>1 did. Some of them probably didn't.</p> <p>2 Q. Okay. What's the purpose of giving a</p> <p>3 bonus?</p> <p>4 MS. BARLOTTA: Object to form.</p> <p>5 A. Well, it's an incentive for getting</p> <p>6 these people to produce more business. And they</p> <p>7 don't give a bonus. They earn a bonus.</p> <p>8 Q. But there's not any metrics that</p> <p>9 define how you would earn a bonus?</p> <p>10 MS. BARLOTTA: Object to form.</p> <p>11 A. Yeah, there is for the team, but not</p> <p>12 for the individual.</p> <p>13 Q. Right. So how would an individual on</p> <p>14 a team know what they needed to do to get a</p> <p>15 higher bonus?</p> <p>16 MS. BARLOTTA: Object to form.</p> <p>17 A. I guess they would work with their</p> <p>18 broker.</p> <p>19 Q. Are you familiar with some of the</p> <p>20 other companies that are affiliated with CRC?</p> <p>21 MS. BARLOTTA: Object to form.</p> <p>22 A. Vaguely.</p> <p>23 Q. Yeah, if I give you some names, can</p>

<p style="text-align: right;">Page 113</p> <p>1 you tell me if this rings a bell, TAPCO?</p> <p>2 A. Yes.</p> <p>3 Q. What is TAPCO?</p> <p>4 A. TAPCO is a -- they're an MGA. They</p> <p>5 have programs, and they fill those programs. So</p> <p>6 they're -- they're basically underwriters.</p> <p>7 Q. Okay. And are they affiliated with</p> <p>8 CRC or do they just do business with CRC?</p> <p>9 A. No, no. They're affiliated with CRC.</p> <p>10 CRC -- now, BB&T bought TAPCO and made them part</p> <p>11 of the group.</p> <p>12 Q. Okay. What about BenefitMall?</p> <p>13 A. I don't know that one.</p> <p>14 Q. Crump?</p> <p>15 A. Crump, yeah. Crump was bought and</p> <p>16 merged into CRC Brokerage.</p> <p>17 Q. Okay. Ethos?</p> <p>18 A. Yes, Ethos was bought, and it's a --</p> <p>19 at least it was a separate company that wrote</p> <p>20 some off-the-wall kind of stuff.</p> <p>21 Q. Starwind?</p> <p>22 A. I'm sorry?</p> <p>23 Q. Starwind?</p>	<p style="text-align: right;">Page 115</p> <p>1 those as close as possible. And those were huge</p> <p>2 companies that we purchased.</p> <p>3 Q. Did you see Ms. Hendrix's letter</p> <p>4 requesting severance?</p> <p>5 A. I did not.</p> <p>6 Q. How -- when you were the CEO -- I</p> <p>7 keep wanting to say COO. That's why I'm being</p> <p>8 slow about it. But the CEO. So let's go back</p> <p>9 '17 to '19 again, or '17 to your retirement. How</p> <p>10 were job postings for the Birmingham office made?</p> <p>11 MS. BARLOTTA: Object to form.</p> <p>12 A. You know, those were done by somebody</p> <p>13 else. I'm assuming they did them like however</p> <p>14 you do those job postings. I really didn't know.</p> <p>15 Q. Are you aware of whether there was an</p> <p>16 internal site where they could be listed?</p> <p>17 A. You know, I think -- I don't know</p> <p>18 where it was, but I think there was an internal</p> <p>19 site. So sometimes they encouraged -- you know,</p> <p>20 they would rather you stay with the family, so to</p> <p>21 speak. But I did not know.</p> <p>22 Q. Did you ever see any e-mails about,</p> <p>23 you know, Hey, we've got this position opening up</p>
<p style="text-align: right;">Page 114</p> <p>1 A. I don't know that one.</p> <p>2 Q. Trinity? I'm getting into some</p> <p>3 you're not familiar with. Handley?</p> <p>4 A. Handley was -- yeah, Handley, gosh, I</p> <p>5 want to say it was like life insurance. It was a</p> <p>6 specialty item, but there again, it was bought by</p> <p>7 BB&T and kind of put in the insurance family. So</p> <p>8 it was under the umbrella, but we had no -- you</p> <p>9 know, like I say, some of them I don't even know.</p> <p>10 Q. Okay. Do you have any understanding</p> <p>11 of how many companies were under the umbrella?</p> <p>12 A. No, because they were buying</p> <p>13 companies all the time. And that's another</p> <p>14 thing. See, when you buy a company, they all</p> <p>15 have different payroll structures, too. We</p> <p>16 bought Crump, and we bought Swett, and it was --</p> <p>17 they were constantly trying -- BB&T was</p> <p>18 constantly trying to get everybody on the same</p> <p>19 pay scales. They were all different.</p> <p>20 Now, the broker formulas were real</p> <p>21 close, but salaries and all of that, the company</p> <p>22 was constantly trying to, you know, making</p> <p>23 changes and to make sure that they were getting</p>	<p style="text-align: right;">Page 116</p> <p>1 that kind of went office-wide?</p> <p>2 MS. BARLOTTA: Object to form.</p> <p>3 A. You know, I don't think so.</p> <p>4 Q. Do you know what a gender gap --</p> <p>5 gender bonus gap is?</p> <p>6 MS. BARLOTTA: Object to form.</p> <p>7 A. No.</p> <p>8 Q. Do you know who Kimberly Moore-Wright</p> <p>9 is?</p> <p>10 A. Kimberly who?</p> <p>11 Q. Kimberly Moore-Wright?</p> <p>12 A. No.</p> <p>13 Q. Do you have any dealings with any of</p> <p>14 the executive leadership at Truist Financial?</p> <p>15 A. Truist Financial?</p> <p>16 Q. Yes.</p> <p>17 A. You're talking about the bank?</p> <p>18 Q. So when you were the CEO of CRC, did</p> <p>19 you deal with any of what they call the executive</p> <p>20 leadership team of Truist Financial Corporation?</p> <p>21 A. Yes.</p> <p>22 Q. Okay. And in those dealings, you</p> <p>23 don't recall dealing with Kimberly Moore-Wright?</p>

<p style="text-align: right;">Page 117</p> <p>1 A. I do not.</p> <p>2 Q. Okay.</p> <p>3 A. I'm thinking -- I'm assuming we're</p> <p>4 talking about the same -- I mean, see, there</p> <p>5 again, it was BB&T, and then they rolled some</p> <p>6 into Truist. So it's a little confusing as to</p> <p>7 who you're talking.</p> <p>8 Q. Right.</p> <p>9 A. I mean, being who we were, we -- the</p> <p>10 people that -- like Dave Obenauer and John Howard</p> <p>11 and all of those people in the BB&T part of it we</p> <p>12 had dealings with, but I don't know if they were</p> <p>13 the Truist Financial people.</p> <p>14 Q. Or not?</p> <p>15 A. That's a vague term to me.</p> <p>16 Q. Right.</p> <p>17 A. To be honest, we didn't -- I knew a</p> <p>18 lot more about BB&T than I knew about Truist,</p> <p>19 because Truist was the combination of -- we</p> <p>20 didn't know the SunTrust people really, and when</p> <p>21 they combined, that kind of removed us a little</p> <p>22 more from that feeling.</p> <p>23 Q. Okay. And so you were removed as the</p>	<p style="text-align: right;">Page 119</p> <p>1 MS. BARLOTTA: Object to form.</p> <p>2 A. I'm sorry?</p> <p>3 Q. What about if an employee needed to</p> <p>4 make a complaint?</p> <p>5 MS. BARLOTTA: Object to form.</p> <p>6 A. Well, there's a BB&T 800 hotline you</p> <p>7 can always call to make a complaint, and they'll</p> <p>8 be on top of you in two seconds.</p> <p>9 Q. Do you know where that hotline goes,</p> <p>10 like who runs it?</p> <p>11 MS. BARLOTTA: Object to form.</p> <p>12 A. It goes to some -- it goes to HR,</p> <p>13 because if you called them and it was somebody in</p> <p>14 our region, Stefani Petty would be calling.</p> <p>15 Q. Okay.</p> <p>16 MS. PALMER: Can we take a break and</p> <p>17 then --</p> <p>18 VIDEOGRAPHER: We are going off the</p> <p>19 record. It is 3:19 p.m. Central Standard Time.</p> <p>20 (Whereupon, a brief recess was</p> <p>21 taken.)</p> <p>22 VIDEOGRAPHER: We are back on the</p> <p>23 record. It is 3:27.</p>
<p style="text-align: right;">Page 118</p> <p>1 -- you were removed from the connection there,</p> <p>2 and you were the CEO of CRC, right?</p> <p>3 MS. BARLOTTA: Object to form.</p> <p>4 A. Right. Well, yeah, I still had my</p> <p>5 same connection, you know, but when they combined</p> <p>6 those companies, we lost some of the contacts.</p> <p>7 Q. Right. And would you agree with me</p> <p>8 that the folks under you who aren't as high up</p> <p>9 maybe also could get confused about --</p> <p>10 MS. BARLOTTA: Object to the form.</p> <p>11 Q. -- that relationship?</p> <p>12 MS. BARLOTTA: Object to the form.</p> <p>13 A. No, I don't think -- they didn't deal</p> <p>14 with them anyway, so I don't think they should</p> <p>15 have been -- would have been concerned about</p> <p>16 that.</p> <p>17 I mean, I actually dealt with them,</p> <p>18 so, but I wouldn't think my associate broker or</p> <p>19 any -- they could probably care less. I mean,</p> <p>20 show me what I need to write and how much you're</p> <p>21 going to pay me. That's what they --</p> <p>22 Q. What if they needed to make</p> <p>23 complaints?</p>	<p style="text-align: right;">Page 120</p> <p>1 Q. (BY MS. PALMER:) All right. Mr.</p> <p>2 Helveston, we have just taken a little break, and</p> <p>3 I'm going to do my best to get you out of here.</p> <p>4 So I'm just going to try to wrap up a little bit,</p> <p>5 but I think that's every lawyer's famous last</p> <p>6 words.</p> <p>7 First off, I should have asked you</p> <p>8 this early on: In your tenure with CRC, your</p> <p>9 whole tenure, did anyone ever make any</p> <p>10 discrimination complaints about you?</p> <p>11 A. No.</p> <p>12 Q. Did anyone make any harassment</p> <p>13 complaints about you?</p> <p>14 A. Not that I know of.</p> <p>15 Q. So no one from HR or otherwise ever</p> <p>16 communicated with you about an employee's</p> <p>17 complaints with you?</p> <p>18 A. With me?</p> <p>19 Q. Yes.</p> <p>20 A. Not that I know of.</p> <p>21 Q. Okay. What about other complaints of</p> <p>22 discrimination or harassment?</p> <p>23 A. About anybody?</p>


<p>Page 121</p> <p>1 Q. About anybody, yes, sir.</p> <p>2 A. Not that come to mind. I'm not</p> <p>3 saying it didn't happen in thirty-six years, but</p> <p>4 none that really come to mind.</p> <p>5 Q. Okay. So as the owner, then</p> <p>6 president, then CEO of CRC, was it your duty to</p> <p>7 make sure that no discrimination was occurring?</p> <p>8 MS. BARLOTTA: Object to form.</p> <p>9 A. That should have been everybody's</p> <p>10 duty.</p> <p>11 Q. Okay. What steps did you personally</p> <p>12 take to ensure that you were running the ship</p> <p>13 that way?</p> <p>14 MS. BARLOTTA: Object to form.</p> <p>15 A. You know, our HR department did that,</p> <p>16 and BB&T did it when we took all the classes and</p> <p>17 all that. Me personally, I didn't do it. I</p> <p>18 mean, that's kind of a hard question to answer.</p> <p>19 Q. So per the policy at CRC, what did</p> <p>20 you understand discrimination to mean?</p> <p>21 MS. BARLOTTA: Object to form.</p> <p>22 A. What did I understand?</p> <p>23 Q. Yes, sir.</p>	<p>Page 123</p> <p>1 thousand, and one is making eight hundred</p> <p>2 thousand, and yet they're coming in every day and</p> <p>3 doing the same thing. Now, is that equality?</p> <p>4 Did he get more agents than I had or did he steal</p> <p>5 my agents?</p> <p>6 There's just so many things involved</p> <p>7 in that, that it's really hard to put a finger on</p> <p>8 it, what equality is in that.</p> <p>9 Q. In, let's say, the last fifteen years</p> <p>10 of your employment with CRC, how many female</p> <p>11 brokers were in the Birmingham office?</p> <p>12 MS. BARLOTTA: Object to form.</p> <p>13 A. Well, Betsy -- Betsy Barnett ran the</p> <p>14 professional department before Rusty did.</p> <p>15 Q. I just heard she passed away as well.</p> <p>16 I'm sorry about that.</p> <p>17 A. Yeah, she did, unfortunately. But</p> <p>18 Betsy was -- she was there in the last fifteen</p> <p>19 years, well respected. Everybody loved -- as a</p> <p>20 matter of fact, she trained Corey and that whole</p> <p>21 group.</p> <p>22 Melissa Raspino in our property</p> <p>23 department, very good broker; Susan Phillips in</p>
<p>Page 122</p> <p>1 A. You're talking about what kind of</p> <p>2 discrimination -- I mean, any time, you know,</p> <p>3 sex, race, religion, you know, just, you know, I</p> <p>4 guess if you're taking advantage of -- you know,</p> <p>5 somebody is getting left out of the crowd</p> <p>6 intentionally or something like that, I mean.</p> <p>7 I'm not sure I can define it. It's kind of like</p> <p>8 you know what it is, but I can't really define</p> <p>9 it.</p> <p>10 Q. That famous supreme court case, I</p> <p>11 can't describe it, but I'll know it when I see</p> <p>12 it?</p> <p>13 A. Exactly.</p> <p>14 Q. If an employee were to say to you,</p> <p>15 It's an equality issue, would you understand that</p> <p>16 to be discrimination?</p> <p>17 MS. BARLOTTA: Object to form.</p> <p>18 A. It's an -- well, nobody -- all these</p> <p>19 brokers are different, and so equality from</p> <p>20 there, equality -- when you're a producer and</p> <p>21 you're out producing, quality is a different</p> <p>22 thing, because two people are sitting side by</p> <p>23 side, and one is making, you know, two hundred</p>	<p>Page 124</p> <p>1 the professional department; Martha Hosey in the</p> <p>2 casualty department; Sherry Curtis in the</p> <p>3 casualty department. I don't think there were</p> <p>4 any other. I'm not a hundred percent sure of</p> <p>5 that.</p> <p>6 Q. Do you know if Susan Phillips is</p> <p>7 still there?</p> <p>8 A. She's -- I saw her not too long ago,</p> <p>9 and she's -- as a matter of fact, she invited me</p> <p>10 to her retirement party. It either just happened</p> <p>11 or it's coming up. So she's pretty soon to --</p> <p>12 she either pretty soon just left or pretty soon</p> <p>13 leaving.</p> <p>14 Q. Okay. Were you involved in a meeting</p> <p>15 with Betsy Barnett, some sort of unofficial lunch</p> <p>16 meeting, where she made statements about being</p> <p>17 concerned about the number of female brokers?</p> <p>18 MS. BARLOTTA: Object to form.</p> <p>19 A. You know, Betsy has been gone for ten</p> <p>20 years probably. I would not remember that.</p> <p>21 Q. Okay. What steps did you take as the</p> <p>22 CEO and president to ensure that no one</p> <p>23 retaliated against anyone?</p>

<p>Page 125</p> <p>1 MS. BARLOTTA: Object to form.</p> <p>2 A. Oh, gosh, BB&T had all kinds of</p> <p>3 non-retaliation. That was -- you saw that all</p> <p>4 the time. And we made -- I mean, I don't know</p> <p>5 that anybody -- in the brokerage end, I don't</p> <p>6 really know how anybody would retaliate against</p> <p>7 another one.</p> <p>8 The brokerage teams are almost like</p> <p>9 independent contractors. Like when I had my team</p> <p>10 and my four or five people on my team, we came</p> <p>11 in, and we did everything -- we could relate to</p> <p>12 other people or we didn't have to relate to other</p> <p>13 people.</p> <p>14 But there wasn't any -- there wasn't</p> <p>15 any ability to -- the only retaliation may be if</p> <p>16 some other team stole my agent or tried to -- you</p> <p>17 know, you had kind of agents that you worked</p> <p>18 with. Although you didn't have agencies, you had</p> <p>19 agents within the agencies.</p> <p>20 So maybe if somebody tried to steal</p> <p>21 somebody's agents or -- that may be a problem,</p> <p>22 but I don't know where retaliation would come in,</p> <p>23 to be honest with you.</p>	<p>Page 127</p> <p>1 had a problem, and then you -- that's just</p> <p>2 impossible really to figure out, because you'd</p> <p>3 have to know one to know the other; and if you</p> <p>4 didn't know one, you couldn't know the other.</p> <p>5 Q. And how would you learn if they had a</p> <p>6 problem?</p> <p>7 MS. BARLOTTA: Again, you're talking</p> <p>8 about hypothetical. He's not an expert witness.</p> <p>9 You're just asking him hypothetical --</p> <p>10 A. I --</p> <p>11 MS. PALMER: Hold on. You're asking</p> <p>12 him hypothetical opinion questions, which are</p> <p>13 irrelevant and improper, and they're not</p> <p>14 admissible.</p> <p>15 Q. You can answer, Mr. Helveston.</p> <p>16 MS. BARLOTTA: Object to the form</p> <p>17 again. She's asking you to speculate about a</p> <p>18 situation that never happened. She's in theory</p> <p>19 asking you.</p> <p>20 A. I mean, after all this, I've even</p> <p>21 forgotten the question.</p> <p>22 Q. How would you know -- you made a</p> <p>23 statement that in order to stop retaliation, you</p>
<p>Page 126</p> <p>1 Q. What about employment retaliation,</p> <p>2 like if an employee complains -- if a team member</p> <p>3 complains about their broker and then their</p> <p>4 broker controls their bonus?</p> <p>5 MS. BARLOTTA: Object to form.</p> <p>6 Q. Could you see room for retaliation in</p> <p>7 that area?</p> <p>8 MS. BARLOTTA: You're asking him just</p> <p>9 in theory, hypothetical?</p> <p>10 Q. You can answer.</p> <p>11 A. Yeah, no, I mean, like I say --</p> <p>12 MS. BARLOTTA: Object to form.</p> <p>13 A. -- that could be. That could happen.</p> <p>14 Q. Did you as the owner, president, CEO,</p> <p>15 do anything to ensure that didn't happen?</p> <p>16 MS. BARLOTTA: If you're asking him</p> <p>17 if he can ensure -- if he ensured -- that he</p> <p>18 would stop a hypothetical situation from</p> <p>19 happening? Is that the question?</p> <p>20 Q. You can answer the question.</p> <p>21 MS. BARLOTTA: Object to the form. I</p> <p>22 don't -- I'm confused.</p> <p>23 A. First, you would have to know if they</p>	<p>Page 128</p> <p>1 would have to know that it had happened. So how</p> <p>2 would you know that it had happened? Like what</p> <p>3 would be an employee's expectation to report</p> <p>4 that?</p> <p>5 A. Well, keep in mind --</p> <p>6 MS. BARLOTTA: Wait, wait. No, no.</p> <p>7 She's asking you to testify about another</p> <p>8 employee's expectation, so object to the form.</p> <p>9 If you can answer what another employee would</p> <p>10 expect.</p> <p>11 A. No, I can't answer what another</p> <p>12 employee --</p> <p>13 Q. What would you expect from another</p> <p>14 employee?</p> <p>15 MS. BARLOTTA: Same problem. Same</p> <p>16 objection. You're asking him to -- what he would</p> <p>17 expect about a nonspecified, unidentified</p> <p>18 employee, what that person would -- he would</p> <p>19 think that they would expect.</p> <p>20 MS. PALMER: I'm following a trail of</p> <p>21 questioning related to a form of discrimination</p> <p>22 that he identified.</p> <p>23 MS. BARLOTTA: No, you're asking him</p>

<p style="text-align: right;">Page 129</p> <p>1 hypotheticals about a situation that doesn't</p> <p>2 exist and asking him to comment about what an</p> <p>3 unidentified hypothetical employee -- what he</p> <p>4 would think an unidentified hypothetical employee</p> <p>5 would or would not do in a particular situation.</p> <p>6 MS. PALMER: I'm asking about his</p> <p>7 role as the president, owner, and CEO of the</p> <p>8 company as related to discrimination and</p> <p>9 retaliation.</p> <p>10 MS. BARLOTTA: Right. If you want to</p> <p>11 put it in those terms about whether --</p> <p>12 MS. PALMER: Rachel, we are under the</p> <p>13 usual stipulations. You can object to the form;</p> <p>14 and if Mr. Helveston can answer the question, he</p> <p>15 can answer the question.</p> <p>16 MS. BARLOTTA: Leslie, I've given you</p> <p>17 a lot of leeway on the hypotheticals today. It's</p> <p>18 been pretty much an hour of those.</p> <p>19 MS. PALMER: Can you point me to a</p> <p>20 rule that says I cannot ask hypotheticals?</p> <p>21 MS. BARLOTTA: Yeah. He's not an</p> <p>22 expert witness. Hypothetical scenarios are</p> <p>23 proper for expert witnesses. He's strictly here</p>	<p style="text-align: right;">Page 131</p> <p>1 apologize to the witness. I'm his counsel. You</p> <p>2 don't need to --</p> <p>3 Q. -- if Ms. Barlotta will let you</p> <p>4 answer.</p> <p>5 MS. BARLOTTA: Please stop</p> <p>6 apologizing to my witness. I'm his attorney.</p> <p>7 Okay. You don't need to apologize for me.</p> <p>8 MS. PALMER: This is his deposition,</p> <p>9 not yours.</p> <p>10 Q. (BY MS. PALMER:) What did you do as</p> <p>11 the president, CEO, or owner of CRC to protect</p> <p>12 your employees from discrimination?</p> <p>13 MS. BARLOTTA: Object to the form.</p> <p>14 He's already answered that question.</p> <p>15 A. We have procedures that, you know, if</p> <p>16 they had a problem, there's HR there. And as the</p> <p>17 president or CEO, ninety percent of the time, the</p> <p>18 employees didn't come to me. They would come to</p> <p>19 like an office manager or their team members.</p> <p>20 They -- before it got to me, it would go through</p> <p>21 two or three other people.</p> <p>22 Q. Right. So in that ten percent of the</p> <p>23 time that it -- that they came directly to you,</p>
<p style="text-align: right;">Page 130</p> <p>1 testifying about his personal knowledge, not</p> <p>2 speculating about a situation that has or has not</p> <p>3 happened. And you're not even giving him any</p> <p>4 parameters around it.</p> <p>5 MS. PALMER: I'm asking him about his</p> <p>6 personal knowledge related to his position as the</p> <p>7 president, CEO, and owner of CRC.</p> <p>8 MS. BARLOTTA: Yeah, an appropriate</p> <p>9 question would be: Did an employee come to you</p> <p>10 and complain about this? If that happened, what</p> <p>11 would you do?</p> <p>12 I don't know what this if this</p> <p>13 happened and this happened and this -- he's</p> <p>14 struggling here because your questions are bad,</p> <p>15 and you should not be asking a lay witness</p> <p>16 hypothetical questions, like a twenty-minute</p> <p>17 diatribe of them.</p> <p>18 MS. PALMER: It wouldn't be a</p> <p>19 twenty-minute diatribe if you would let him</p> <p>20 answer.</p> <p>21 Q. (BY MS. PALMER:) I apologize about</p> <p>22 that, Mr. Helveston. We can move on --</p> <p>23 MS. BARLOTTA: You don't need to</p>	<p style="text-align: right;">Page 132</p> <p>1 let's talk specifically about --</p> <p>2 A. No, I'm not even sure -- I'm not sure</p> <p>3 anybody -- remember, even Kathryn didn't come to</p> <p>4 me. I came to her. So there's not many times --</p> <p>5 I can't think of a time when somebody would come</p> <p>6 to me that hadn't been to somebody else first.</p> <p>7 They just -- it just didn't happen,</p> <p>8 especially -- ninety percent of the offices were</p> <p>9 out of state. In Birmingham, they would go to</p> <p>10 John Cadden.</p> <p>11 Q. So during that breakfast meeting with</p> <p>12 Kathryn, what would she have needed to say to</p> <p>13 make you aware that she was experiencing</p> <p>14 discrimination?</p> <p>15 MS. BARLOTTA: Object to form.</p> <p>16 A. She would have -- number one, all she</p> <p>17 had to do really was say, I don't want to talk to</p> <p>18 John, and I need your help. You know, I'm</p> <p>19 getting discriminated against, and I need your</p> <p>20 help, you know. That's all she would have had to</p> <p>21 say is that -- and she would have said, I don't</p> <p>22 need to talk -- you want me to talk to Corey. I</p> <p>23 don't need to talk to Corey. I'm getting</p>

<p style="text-align: right;">Page 133</p> <p>1 discriminated against, and I need your help, and</p> <p>2 I would have gone back and called Stefani Petty.</p> <p>3 Kathryn and I are friends. I've</p> <p>4 known her family for thirty years. There was no</p> <p>5 reason for me not to help her.</p> <p>6 Q. Right. The -- you testified earlier</p> <p>7 about assuming that one of the communications</p> <p>8 that she was left out of was brokers. Do you</p> <p>9 recall that testimony?</p> <p>10 A. I'm sorry. Say that again.</p> <p>11 Q. You testified earlier about the</p> <p>12 communications that Kat complained about being</p> <p>13 left out of. You said you assumed it was a</p> <p>14 broker communication. Do you remember saying</p> <p>15 that?</p> <p>16 MS. BARLOTTA: Object to form.</p> <p>17 A. Well, I also remember saying that I</p> <p>18 didn't really -- I didn't really understand what</p> <p>19 that was involved, but it makes sense that</p> <p>20 there's so many different e-mail groups, that you</p> <p>21 could -- and a lot of them -- if I'm sitting on a</p> <p>22 team and my broker is getting a lot of e-mails</p> <p>23 and I'm not getting them, maybe I'm feeling like</p>	<p style="text-align: right;">Page 135</p> <p>1 Q. The one we talked about that led us</p> <p>2 to that exhibit, the twenty-five.</p> <p>3 A. Twenty-five, oh, yeah.</p> <p>4 Q. The twenty-five to -- yeah, that with</p> <p>5 the revenues, do you still have your copy of</p> <p>6 that?</p> <p>7 A. No.</p> <p>8 Q. What happened to the documents in</p> <p>9 your office when you left?</p> <p>10 MS. BARLOTTA: Object to form.</p> <p>11 A. I have no idea.</p> <p>12 Q. Did you clean out your desk?</p> <p>13 A. I cleaned out my personal stuff. I</p> <p>14 didn't take a bonus sheet with me.</p> <p>15 Q. Did you instruct anything to be</p> <p>16 shredded?</p> <p>17 A. That was already -- yeah, I already</p> <p>18 took care of that.</p> <p>19 Q. Do you know who is in your office</p> <p>20 now?</p> <p>21 A. Yeah. Zach Mather is in my office, a</p> <p>22 broker.</p> <p>23 Q. Did you turn over your -- any of your</p>
<p style="text-align: right;">Page 134</p> <p>1 I'm not getting them.</p> <p>2 Q. Yeah.</p> <p>3 A. But if you're not getting them, to</p> <p>4 me, you just go to your broker and say, Hey,</p> <p>5 look, I'm really trying to learn here, and you</p> <p>6 guys are probably talking about some really good</p> <p>7 stuff that I can learn. Can you get me into --</p> <p>8 can you add me to this group? I mean, why in the</p> <p>9 world wouldn't anybody do that?</p> <p>10 Q. When you were having trouble</p> <p>11 understanding what she was talking about, did you</p> <p>12 ask her specifically who were these</p> <p>13 communications between?</p> <p>14 MS. BARLOTTA: Object to form.</p> <p>15 A. Well, I think she told me who it was.</p> <p>16 It was between the brokers in the professional</p> <p>17 department.</p> <p>18 Q. Okay. Did you ask her to see any of</p> <p>19 the communications?</p> <p>20 A. No.</p> <p>21 Q. The bonus sheet that you talked about</p> <p>22 earlier, that kind of the range that shows --</p> <p>23 A. This one (indicating)?</p>	<p style="text-align: right;">Page 136</p> <p>1 stuff to Zach specifically?</p> <p>2 A. No. Zach didn't -- well, I mean, he</p> <p>3 may have gotten the computer that was in there,</p> <p>4 but he got the -- he could have gotten the</p> <p>5 painting on the wall or something, you know.</p> <p>6 The offices were redone by the --</p> <p>7 when we were out for Covid, the offices were</p> <p>8 redone. So when they were finished being redone,</p> <p>9 I was done.</p> <p>10 So when I left and the time Zach</p> <p>11 moved in the office was completely different. It</p> <p>12 was completely remodeled, so there wasn't</p> <p>13 anything in there.</p> <p>14 Q. Did you ask Kat why she believed she</p> <p>15 was being treated differently?</p> <p>16 MS. BARLOTTA: Object to form.</p> <p>17 Assumes facts not in evidence.</p> <p>18 A. Yeah, I didn't get that she was being</p> <p>19 treated differently. I just -- she had these</p> <p>20 issues, but to me, those were normal broker</p> <p>21 issues that a lot of people have, but if you --</p> <p>22 you know, that you could work out with your</p> <p>23 broker. So I didn't get that she was being</p>

<p>Page 137</p> <p>1 treated -- not being treated equal.</p> <p>2 Q. Okay. And I can't remember, did you</p> <p>3 say that you took notes during your meeting with</p> <p>4 her?</p> <p>5 A. I'm sorry?</p> <p>6 Q. Did you say that you took notes</p> <p>7 during your meeting with her?</p> <p>8 A. No, I did not take notes.</p> <p>9 Q. When you got back to the office, did</p> <p>10 you jot anything down?</p> <p>11 A. No, I did not.</p> <p>12 Q. But you vividly remember the five</p> <p>13 points that she set out?</p> <p>14 A. Yeah, because -- being a broker,</p> <p>15 those are the things that resonated with me.</p> <p>16 Yes, I remember those.</p> <p>17 Q. When she pointed out those five</p> <p>18 issues, did you ask her why she felt like those</p> <p>19 five issues were occurring?</p> <p>20 MS. BARLOTTA: Object to form.</p> <p>21 A. I mean, I don't remember that part of</p> <p>22 the conversation. Quite frankly, I understood a</p> <p>23 lot of it because I've been a broker. I've had</p>	<p>Page 139</p> <p>1 there before 2020, did you notice a trend of the</p> <p>2 women being in account executive and inside</p> <p>3 broker roles?</p> <p>4 MS. BARLOTTA: Object to form.</p> <p>5 A. Well, not really. Some of them were</p> <p>6 because they didn't want to travel.</p> <p>7 Q. Okay. Who's Justin McFadden?</p> <p>8 A. That's Andrew Baker's inside broker.</p> <p>9 Q. Okay. So was he Andrew Baker's</p> <p>10 inside broker when Andrew Baker was your</p> <p>11 associate broker?</p> <p>12 A. No, no.</p> <p>13 Q. So that would have been after you</p> <p>14 became the CEO and left your book?</p> <p>15 A. Yeah. Andrew took over my book, and</p> <p>16 a while later, he hired Justin McFadden.</p> <p>17 Q. And is that how it works with brokers</p> <p>18 is you always hand your book down to somebody</p> <p>19 when you leave?</p> <p>20 MS. BARLOTTA: Object to form.</p> <p>21 A. There's different ways to do it.</p> <p>22 Q. But it's all about the connections</p> <p>23 you have, right?</p>
<p>Page 138</p> <p>1 situations where I felt like I didn't know all of</p> <p>2 the -- I didn't have enough training. I didn't</p> <p>3 know the forms. You know, there's been</p> <p>4 underwriters that didn't like me. So a lot of</p> <p>5 those things I could relate to.</p> <p>6 Q. Okay. What did you do in those</p> <p>7 situations when it was occurring to you?</p> <p>8 A. Well, just, hey, look, you've got to</p> <p>9 deal with the brokers anyway. You've just got to</p> <p>10 pony up. If you need a quote from them, you've</p> <p>11 got to learn to deal with them.</p> <p>12 Q. Why do you think there aren't many</p> <p>13 women brokers in Birmingham?</p> <p>14 MS. BARLOTTA: Object to form.</p> <p>15 A. You know what, I don't know. I guess</p> <p>16 we -- when they hire -- we hire -- we bring in</p> <p>17 interns, and we hire from there, and they just</p> <p>18 hire the people.</p> <p>19 I don't think -- I don't think</p> <p>20 there's any, you know, any reason or any master</p> <p>21 plan not to hire women brokers. The largest</p> <p>22 broker in our company was a woman.</p> <p>23 Q. Have you noticed -- when you were</p>	<p>Page 140</p> <p>1 A. Right. Because you can't hand it</p> <p>2 over -- if the agents don't want to deal with</p> <p>3 you, it doesn't matter whether you hand them</p> <p>4 over, they'll leave.</p> <p>5 Q. Right. It's like lawyers. If you</p> <p>6 leave a firm, you tell the client, but they can</p> <p>7 stay or they can go.</p> <p>8 A. Exactly. It's all about</p> <p>9 relationships.</p> <p>10 MS. PALMER: All right. I am done</p> <p>11 with you, sir. Thank you so much.</p> <p>12 THE WITNESS: All right. Thank you.</p> <p>13 VIDEOGRAPHER: This concludes our</p> <p>14 deposition. It is 3:46 p.m. Central Standard</p> <p>15 Time.</p> <p>16</p> <p>17</p> <p>18</p> <p>19 FURTHER DEPONENT SAITH NOT</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p>

<p>1 CERTIFICATE Page 141</p> <p>2</p> <p>3 STATE OF ALABAMA)</p> <p>4 JEFFERSON COUNTY)</p> <p>5</p> <p>6 I HEREBY CERTIFY that the above</p> <p>7 and foregoing transcript was taken down by me in</p> <p>8 stenotype, and the questions and answers thereto</p> <p>9 were transcribed by means of computer-aided</p> <p>10 transcription, and that the foregoing represents</p> <p>11 a true and correct transcript of the testimony</p> <p>12 given by said witness.</p> <p>13 I FURTHER CERTIFY that I am</p> <p>14 neither of counsel, nor of any relation to the</p> <p>15 parties to the action, nor am I anyway</p> <p>16 interested in the result of said cause.</p> <p>17</p> <p>18 </p> <p>19 /s/Tanya D. Cornelius</p> <p>20 TANYA D. CORNELIUS, RPR</p> <p>21 ACCR #378 Expires 10/1/2024</p> <p>22 Notary Expires 9/13/26</p> <p>23</p>	

Please return the signature page, correction sheet, and transcript within 30 days. The list of corrections will be attached to the original deposition and all parties will be notified of any changes.

Thank you for your prompt attention to this matter.

Sincerely,

Tanya Cornelius
Certified Court Reporter

WITNESS SIGNATURE PAGE

In Re: Read and sign of Video Deposition of Ron Helveston

I, _____, hereby certify that I have read the foregoing transcript of my deposition and it is a true and correct transcript of the testimony given by me at the time and place stated with the corrections, if any, and the reasons therefore noted on a separate sheet of paper and attached hereto.

Video Deposition of Ron Helveston

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 202____.

NOTARY PUBLIC

MY COMMISSION EXPIRES:

Errata Sheet

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